

# FORMAL MEETING AGENDA BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts, and/or Board of Deposit)

## WEDNESDAY, JUNE 18, 2008

### 9:00 AM

Board of Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, Arizona

1. INVOCATION
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

*One or more members may attend telephonically.  
Members attending telephonically will be announced at the meeting.*

**The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).**

*The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.*

**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED  
GOLD – WITHDRAWN / BROWN – NO ACTION**

## S U P P L E M E N T A L

### New Items

#### Clerk of the Board

#### S-1. RESIGNATION/APPOINTMENT – APPROVED

Accept the resignation of Tom Lowry and appoint Mark Reardon of Vulcan Materials as a primary member, industry representative to the Aggregate Mining Operations Zoning District #1 Recommendation Committee. Mr. Reardon will fill the unexpired term effective as of the date of Board approval through October 5, 2010.

In addition, approve the appointment of Rick Vickery of Vulcan Materials as an alternate member for Mr. Reardon. (C0608100900) (ADM3441-001)

### Finance

**S-2. MOU WITH CITY OF PHOENIX FOR DISPOSITION OF COUNTY-OWNED REAL PROPERTY  
– APPROVED**

Having determined the need to acquire a portion of Madison Street for the safe and efficient operation of the new Court Tower, authorize the Chairman to execute a Memo of Understanding (MOU) with the City of Phoenix (City) for the disposition of county-owned real property in Phoenix located south of Fillmore Street along 5<sup>th</sup> Avenue (ANP 111-41-178 and APN 111-41-179) through sale, lease or property exchange which will include Madison Street from First to Fifth avenues (excluding the north-south streets). In addition, authorize county staff to enter into negotiations with the City for the development of an Intergovernmental Agreement (IGA) to effectuate the purpose of the MOU. The MOU will memorialize the intent of the County and the City to enter into negotiations and to each obtain appraisals of their respective properties to determine property values. Upon successful negotiations, staff will return to the Board with recommended business terms of the IGA for the Board's further consideration. This matter was discussed in Executive Session on June 2, 2008 and June 16, 2008.

**Public Health**

**S-3. PURCHASE ORDER AND REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS – APPROVED**

Approve the Purchase Order from Arizona Department of Health Services (ADHS) to Maricopa County Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) (HG761266) to provide Well Woman Healthcheck Program services to uninsured or underinsured women. The Purchase Order in the amount of \$150,000 provides additional funding in the amount of \$22,588 bringing the contract amount from \$580,000 to \$602,588 for the term ending June 30, 2008. This additional funding is for screening and diagnostic services.

The Department of Public Health's indirect rate for FY 2007-08 is 18%. The IGA allows for indirect costs at a rate of 10% of Personnel Services and Employee Related Expenses only. Additional funding of \$22,588 is for subrecipient costs and is not subject to indirect charges. Therefore indirect costs in the amount of \$4,066 are unrecoverable.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$22,588 for FY 2008. The appropriations adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8608001303)

**Risk Management**

**S-4. THOMAS RUSSELL V. MARICOPA COUNTY – APPROVED**

Approve special action petition to State Court of Appeals in regard to the Court's ruling on the Defendant's Motion for Summary Judgment in Thomas Russell v. Maricopa County, et al., CV2007-008555, and authorize the Chairman to sign any necessary documents upon review and approval as to form by assigned legal counsel. This matter was discussed in Executive Session on June 16, 2008. (ADM409)

**Sheriff**

**S-5. AMENDMENT TO IGA FOR LAW ENFORCEMENT SERVICES WITH TOWN OF QUEEN CREEK – APPROVED**

Approve Amendment No. 3 to the Intergovernmental Agreement for Law Enforcement Services between the Town of Queen Creek and Maricopa County Sheriff's Office to replace the increase in service for two traffic deputies with one School Resource Officer (SRO) and to replace the one-time equipment purchase section in its entirety to include: a total of three SUV vehicles, with one to be held in reserve of District VI, Queen Creek; three moving radar units, six laptop computers, six portable radios, and six tasers effective July 1, 2008. This contract now fully funds one full time dispatcher position to be added upon approval of this item.

Approval of this amendment will raise the FY 2008-09 annualized value of the contract to \$4,124,157 which includes estimated additional one-time vehicle and equipment purchases totaling \$227,251. This amendment is effective July 1, 2008, or as soon thereafter that service can be provided. The new base monthly payment, \$324,742.17 billable by County Finance, will be pro-rated monthly according to level of service provided throughout any ramping up period as communicated by the Sheriff's Office.

The base contract continues through June 30, 2010, with up to three years of automatic renewal and is terminable upon 12 months written notice of either party. Charges are updated annually and are based on actual cost.

Also approve the purchase and addition to fleet of one patrol SUV to be used as a reserve car. (The other two SUVs were approved as additions to fleet in Amendment 1 and postponed to July 1, 2008 in Amendment 2.) (ADM3104)

Finally approve per A.R.S. §42-17106 a reduction to the Sheriff's Office General Fund (100) FY 2009 revenue and expenditure appropriation of (\$4,084); (\$72,071) annualized. One-time purchases and reimbursement revenue were increased by \$72,071 while continuing costs and reimbursements were reduced by \$76,155. Intergovernmental Agreement revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008010203)

**Solid Waste**

**S-6. APPLY AND ACCEPT FUNDS FROM ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY RECYCLING PROGRAM – APPROVED**

Approve the application and acceptance of grant funds from Arizona Department of Environmental Quality (ADEQ) Recycling Program in the amount of:

- \$188,736.00 for Maricopa County Waste Transfer Station Recycling Project. These grant funds are to fund the Solid Waste Management initial start up of the Waste Transfer Station (WTS) recycling program at 4 of the counties WTS.
- \$41,850.00 for Maricopa County Recycling Program Outreach & Education. These grant funds are to fund the Solid Waste Management outreach and promotion of the Waste Transfer Station recycling activity.

Authorize the Solid Waste Director to sign all documents related to these grant funds. The term of the grants is from July 1, 2008, through June 30, 2009. These grants are non-renewable. Approve a revenue and expenditure budget increase or establish a new fund for the MCSWM

Recycling Program (000) in the amount of \$188,736 and MCSWM Outreach & Education Program (000) in the amount of \$41,850. The Maricopa County Department of Finance has calculated MCSWM's indirect cost rate at 13.13% (based on landfills). The indirect cost of administering these grants is \$24,781 and 5,495. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (Supervisory Districts 1, 2, 3, 4, and 5) (C6708004M00)

#### **Treasurer**

#### **S-7. EXCEPTION TO THE MARICOPA COUNTY COMPENSATION PLACEMENT IN RANGE STRATEGY – APPROVED**

Approve the following:

- An exception to the Maricopa County Compensation Placement in Range Strategy for the appointment of Richard Challoner to the position of Operations/Program Manager, PCN 00034258, in the Treasurer's Office. The requested rate associated with the approval of this request is \$44.62/hr (\$92,810 annually) and will be fully funded within the department's current budget this fiscal year and in subsequent fiscal years.
- An exception to the Maricopa County Compensation Placement in Range Strategy for the appointment of Royce Flora to the position of Finance Manager – County, PCN 00066641, in the Treasurer's Office. The requested rate associated with the approval of this request is \$47.93/hr (\$99,694 annually) and will be fully funded within the department's current budget this fiscal year and in subsequent fiscal years.

The Office of Management and Budget does not recommend approve of this item. Maricopa County utilizes a placement in range strategy to determine an employee's pay rate that is based on directly related County and prior experience and performance (if applicable). The purpose of this strategy is to create a method for determining an employee's pay rate that is equitable county-wide. The same placement in range strategy is used by all departments to determine an appropriate pay rate for new hires, promotions, market adjustments, and other salary advancements.

The Employee Compensation Division within the Office of Management and Budget has reviewed Richard Challoner's directly related County and prior experience based on his employment application, resume, and/or employee file. Based on this review of his related experience, his placement within the Operations/Program Manager market range was determined to be \$28.75/hr (\$59,800 annually). Since Mr. Challoner is currently making \$38.46/hr, OMB supports keeping him at this rate.

The Employee Compensation Division within the Office of Management and Budget has reviewed Royce Flora's directly related prior experience based on his employment application, resume, and/or employee file. Based on this review of his related experience, his placement within the Finance Manager - County market range was determined to be \$36.63/hr (\$76,190 annually).

### **SETTING OF HEARINGS**

#### **Planning and Development**

#### **S-8. CASES – APPROVED**

Schedule Planning and Development public hearings on zoning cases and other matters for the July 23, 2008 meeting. (List is on file in the Clerk of the Board's office)

### **FLOOD CONTROL DISTRICT**

**SF-5. CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES – APPROVED**

Award Contract FCD 2008C002, White Tanks Flood Retarding Structure No. 4 Remediation Project Design and Engineering Support to Ninyo and Moore Geotechnical and Environmental Science Consultants to provide professional engineering services in an amount not-to-exceed \$1,600,000. The total contract performance is 1,095 calendar days from the date of approval by the Board of Directors. (C6908066500)

### **LIBRARY DISTRICT AGENDA**

**SL-3. AMEND BUDGET INCREASING BOTH REVENUES AND EXPENDITURES – APPROVED**

Approval is requested to amend the budget increasing both revenues and expenditures (Dept. 650, Fund 242) in the amount of \$8,919 for the expenditure of remaining grant funds in fiscal year 07-08. These funds are for the continued purchase of public access computers and are part of the Gates Library Initiative grants through the Gates Center for Technology Access which is part of the Bill & Melinda Gates Foundation. The full grant amount is \$75,000 approved in agenda C6506008300 and the grant revenue and expenditures were originally budgeted in FY 2005-06. The remainder of the grant, \$8,919 will be expended in FY 2007-08 (C6506008302) (ADM2800-003)

**SL-4. SOLE SOURCE CONTRACT WITH COMPRISE TECHNOLOGIES – APPROVED**

Approve a sole source contract with Comprise Technologies for a not-to-exceed amount of \$300,000, for the period from July 1, 2008 through June 30 2011, for the purchase of Smart Access Manager (SAM) System. Comprise Technology's Smart Access Manager was determined to be a sole source since it is the only print cost recovery and computer reservation system that is allowed to use the proprietary chips used in the Library District library cards. The District currently has over 187,000 library cards issued. Action on this item is subject to county counsel's review and approval of the final contract and subsequent execution of the contract. (C6508041100)

### **BOARD OF SUPERVISORS**

4. "Pet Showcase" by the Maricopa County Animal Care & Control. – NO ACTION

### **PRESENTATIONS**

5. RECOGNITION OF ANNETTE STEIN – NO ACTION

Recognition of Annette Stein, Director, Human Services, for her many years of dedicated and exemplary service to Maricopa County.

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **6. LIQUOR LICENSE APPLICATIONS – APPROVED**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Thomas L. Morris for a Special Event Liquor License: (SELL836) (F23249)

Business Name: Fountain of Life Lutheran Church  
Location: 15630 N. Del Webb Boulevard, Sun City 85351-1602  
Date/Time: October 26, 2008; 5:00pm to 9:00pm

- b. Application filed by Traighton T. Boates for a Special Event Liquor License: (SELL837) (F23249)

Business Name: Rotary Club of Anthem  
Location: 41703 N. Gavilan Peak Parkway, Anthem 85086  
Date/Time: July 3, 2008; 4:00pm to 12:00am

- c. Application filed by Randell Dauer for a Special Event Liquor License: (SELL838) (F23249)

Business Name: Speedworld R/C Flyers  
Location: 19421 W. Jomax Road, Wittman AZ 85361  
Date/Time: June 28, 2008, 8:00pm – midnight

#### **7. FIREWORKS PERMIT APPLICATION – APPROVED**

- a. Pursuant to A.R.S. §36-1603, approve the application filed by Kendon Victor for an original Fireworks Display Application: (ADM665-73)

Organization: Fireworks Productions of Arizona  
Location: 3417 W. Broadway Road, Phoenix 85041  
Date/Time: July 4, 2008, 8:00pm & 9:30pm

- b. Pursuant to A.R.S. §36-1603, approve the application filed by Kendon Victor for an original Fireworks Display Application: (ADM665-74)

Organization: Fireworks Productions of Arizona  
Location: 3417 W. Broadway Road, Phoenix 85041  
Date/Time: July 5, 2008, 8:00pm & 9:30pm

#### **8. SCOTTSDALE COUNTY ISLAND FIRE DISTRICT – APPROVED**

Pursuant to A.R.S. §48-851(A)(10), convene a public hearing on receipt of the signed formation petitions for the proposed Scottsdale County Island Fire District located in the City of Scottsdale municipal planning area. If the petitions are determined to be valid, the Board shall order the formation of the district and enter its order in the minutes. The order will include the appointment of the following three members of the organizing board of directors of the district as set forth in the petition:

David Calverley  
R. Keith Searcy  
Peter Reiss

The order of the Board shall be final and the district will be formed thirty days from the date of the Board's vote. The signed petitions and the petition results certification are on file in the Office of the Clerk of the Board. (Supervisory District 2) (C0608095701) (ADM4454)

## **Transportation**

### **9. ROAD FILE DECLARATIONS – APPROVED**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

- a. **Road File No. A346-R** – In the vicinity of 26TH Street (Maddock Road to Carlise Road). (Supervisory District 3) (C6408012001)
- b. **Road File No. A185** – In the vicinity of Piedmont Road from 51st Avenue to 49th Avenue. (Supervisory District 5) (C6408192000)
- c. **Road File No. A406** – In the vicinity of Camino De Oro from 89th Avenue to 87th Avenue. (Supervisory District 4) (C6408203000)
- d. **Road File No. A407** – In the vicinity of Cielo Grande from 91st Avenue to 89th Avenue. (Supervisory District 4) (C6408204000)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Constables**

### **10. SALARIES FOR CONSTABLES – APPROVED**

Approve setting the Constables' salaries for six precincts to be reelected to a four-year term commencing on January 1, 2009, from \$55,640 to \$60,000. Should any incumbent Constable not be reelected, the salary for the newly elected Constable shall be set at \$48,294. Each of the following six Constable Precincts are up for re-election in November 2008 and have more than 16,000 registered voters: **North Mesa, Highland, Dreamy Draw, Moon Valley, Arcadia Biltmore and Maryvale.**



Also, approve setting the salary of \$48,294 for the two new Precincts, **Santan and Desert Ridge**, to be elected November 2008, and commencing a four-year term on January 1, 2009. The remaining 17 Constable Precincts do not meet the criteria for salary adjustments in FY 2008-09. The Constables will return to the Board with additional action to adjust the FY 2008-09 budget based upon the outcome of the election. (C2508006000)

#### **County Attorney**

**11. RESCIND ACTION FOR IGA WITH STATE OF ARIZONA THROUGH THE ARIZONA DEPARTMENT OF PUBLIC SAFETY AND APPROVE IGA – APPROVED**

Rescind the action taken on January 16, 2008 (C1908036200), regarding entering into an Intergovernmental Agreement (IGA) with the Arizona Department of Public Safety (DPS) whereby the Maricopa County Attorney agreed to assign law enforcement officer(s) (detectives) to the Arizona Counter Terrorism Information Center (ACTIC). This IGA was never executed by DPS and was replaced with a subsequent version for approval by Maricopa County.

Approve Intergovernmental Agreement (IGA) DPS Contract 2007-354 between the State of Arizona through the Arizona Department of Public Safety (DPS) and Maricopa County through the Maricopa County Attorney's Office. The purpose of this IGA is to enhance law enforcement services concerning the collection, analysis, and dissemination of intelligence regarding terrorism and criminal related incidents through cooperative efforts. Through this agreement, the Maricopa County Attorney agrees to assign law enforcement officer(s) (detectives) to the Arizona Counter Terrorism Information Center (ACTIC) as appropriate. This agreement shall remain in effect from the date of full execution until terminated by one or both of the parties. (C1908054200)

**12. SETTLEMENT IN MARICOPA COUNTY V. DOROTHY TANITA – APPROVED**

Authorize settlement of applications for award of court-ordered attorneys fees filed by defendants in Maricopa County v. Dorothy Tanita, et al, CV2002-010197, in the total sum of \$103,500. (C1908056M00) (ADM409)

#### **Elections**

**13. DRAWING FOR BALLOT POSITION FOR THE OFFICE OF PRECINCT COMMITTEEMAN – APPROVED**

Approve a request for the Maricopa County Board of Supervisors to announce a public meeting be held on Friday, June 20, 2008, at 2:00 p.m. at the Maricopa County Tabulation Elections Center, located at 510 South 3<sup>rd</sup> Avenue in Phoenix, Arizona, for the purpose of drawing for ballot position appearing on the ballot for the office of Precinct Committeeman in the precincts where there were more candidates filing than offices to be elected as stated in ARS §16-464B. This election will be held on September 2, 2008. The public meeting announced in this agenda item will not be a meeting of the Board of Supervisors but is conducted by the County Recorder/Elections Department filing officer to supervise the drawing by lot. The County Recorder/Elections Department filing officers will provide notice to the candidates of the date and time of the drawing, and announce the results of the placement of names on the primary election ballot for these precinct committee offices. (ADM1709)

#### **Sheriff**



**14. USER AGREEMENT FOR THE ARIZONA AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM – APPROVED**

Approve a User Agreement between the Arizona Department of Public Safety (DPS) and Maricopa County Sheriff's Office (MCSO) for the Arizona Automated Fingerprint Identification System (AZAFIS) for purposes of providing access to AZAFIS system to the extent allowed by the AZAFIS procedures and policies approved by the AZAFIS Advisory Board and the AZAFIS System Manager. Depending on funding availability, DPS will provide each AZAFIS FAST Site an amount equivalent to the salary and ERE of one mid-range DPS Fingerprint Technician per year. The potential revenue of this contract is \$36,000 - \$39,800. This agreement takes effect upon the signing of all parties and a 90-day notice is required for cancellation. The Governor may cancel at any time for conflicts of interest, pursuant to A.R.S. §38-511. This Agreement supersedes the Agreement entered into by the Board of Supervisors on June 7, 1995.

The term of this IGA begins when both parties have signed the agreement and is effective until either of the participating agencies provides 90 days written notice of their intent to withdraw to the other agency. Agreement is subject to cancellation by the Governor for conflicts of interest pursuant to ARS §38-511. (C5008055200)

**15. DONATIONS – APPROVED**

Approve acceptance eight donations of \$250 or more totaling \$8,495 as follows: \$250 from John Zemitis; \$400 from Liz Hart; \$500 from Guy M. Kezirian, MD, FACS; \$500 from Donna Sharrit; \$1,000 each from Hubert Williams, Mr. and Mrs. Roger Schmitz, and Claudia Bueno--CBH Healthcare Recruiters; and \$3,845 from Samuel Drewen. The Sheriff's Office also received 366 donations for under \$250 in the month of May totaling \$17,503.38 that are detailed in the monthly report to the Board of cash donations.

Also, approve per A.R.S. §42-17106 a change to the Sheriff's Office FY 2008 Sheriff's donation fund (203) of \$63,600 for unanticipated cash donations received this fiscal year. Donations revenues are not local revenues for purposes of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008057M00) (ADM3900-006) (ADM1810)

**16. AGREEMENT AND ACCEPT FUNDS WITH THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE 2007 LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM GRANT AWARD – APPROVED**

Approve an Agreement between the Arizona Department of Homeland Security and the Maricopa County Sheriff's Office, for the 2007 Law Enforcement Terrorism Prevention Program (LETPP) Grant Award, number #333212-04 and acceptance of \$41,250 in grant funding. This funding is to purchase an explosive detection canine and related equipment. The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this grant are estimated to be \$5,032.50. The term of this award is July 1, 2007 through July 31, 2009.

Also approve an increase to the Sheriff's Office grant fund (251) revenue and expenditure appropriations for FY 2008-09 by \$41,250. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008558300)

**17. EXCEPTION TO THE POLICY FOR ADMINISTERING GRANTS AND ACCEPT FUNDS TO THE SHERIFF'S GRANT FUND – APPROVED**

Authorize the following actions relating to Sheriff's Office grants during FY 2008-09:

- a. Approve an exception to the Policy for Administering Grants (A2505) Section D. 1 to the Sheriff's Office for FY 2008-09 that would allow the Sheriff's Office to apply for unnamed law enforcement or detention related grants that may or may not allow indirect cost recovery. The Sheriff's Office Indirect Cost rate for FY 2009 is 12.2%. This authorizes application only and the Sheriff's Office will return to the Board for approval to accept any specific awards granted. Each subsequent request to accept will be a new agenda item with a unique number.
- b. Approve the following two actions regarding specific grants as detailed below:
  1. Approve the acceptance of \$1,857,998 to the Sheriff's Grant Fund (251) for 18 specific law enforcement and detention program FY 2008-09 grants per the list of grants which is based on known awards as of this time. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This amount falls well within the total amount requested for the Sheriff's Grant Fund (251) for FY 2008-09 and does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.
  2. Authorize the Chairman to sign all applications, resolutions, certifications, assurances, etc. that are included in the grant application process, and documents corresponding to the acceptance of awards up to amounts specified in the list on file for grants that are in effect from July 1, 2008 or become effective by June 30, 2009, or when signed by both parties, whichever is later.

The Sheriff's Office FY 2008-09 Indirect Cost rate is 12.2%. Unrecoverable indirect costs per this list are estimated to be \$226,675.76. Related cash matches, which were anticipated in the FY 2008-09 tentative budget recommendations are \$118,779. The Sheriff's Office will return to the Board for acceptance approval for new grants that are not included on the schedule, and for the annual mid-year reconciliation. The Board has approved similar annual requests for the Sheriff's Office over the past several years. (C50085783ZZ)

**Treasurer**

**18. ACCEPT OFFERS ON TAX DEEDED LAND PARCELS – APPROVED**

Accept the cash offers on the following tax deeded land parcels that meet the requirements of A.R.S. §42-18303(E) as amended by HB2523.

Date Parcel Previously Offered by Auction	Parcel No.	Purchaser/Name of the Deed	Amount Offered	Amount of charges against the parcel
N/A	161-27-188	Central Enclave Homeowners Association	\$550	\$1,982.32
N/A	161-27-189	Central Enclave Homeowners Association	\$550	\$1,700.66
N/A	161-27-190	Central Enclave Homeowners Association	\$550	\$1,627.61
N/A	161-27-191	Central Enclave	\$550	\$1,750.19

		Homeowners Association		
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Direct that the Treasurer's Office accept payment and prepare the deed to convey the property sold and deliver to the Clerk of the Board for further processing. Pursuant to ARS42-18262(A), the proceeds from the sale in the amount of \$2,200 will revert to the County General Fund. (C4308023000)

## TRIAL COURTS

### Justice Courts

19. **APPOINTMENTS – APPROVED**

Pursuant to A.R.S. § 22-121, approve, the appointment of John W. Anthony, Melanie DeForest, Steven J. Fuller, Nancy M. Geiss, James S. Henderson, Paul A. Henderson, and Ron Johnson as Pro Tem Justices of the Peace for the period July 1, 2008 through December 31, 2008, to serve in various programs in Justice Courts to reduce trial delay. (C2408005700)

### Superior Court Judges and Commissioners

20. **CORRECT ACTION RELATED TO THE PURCHASE AND ADDITION TO THE MARICOPA COUNTY FLEET – APPROVED**

Correct the action taken by the Board on May 21, 2008, under C3808023800 related to the purchase and addition to the Maricopa County Fleet of a 2005 stake bed truck (vehicle), purchase cost not-to-exceed \$26,500; accompanying lift gate, purchase cost not-to-exceed \$5,555; plus annual estimated operating and maintenance costs of \$8,500. This action will correct the purchase cost of the new vehicle from \$26,500 to an amount not-to-exceed \$28,000, which is the current cost for a vehicle that comes equipped with a lift gate. This action will also delete from consideration the purchase of the lift gate. (C3808023801)

## COUNTY MANAGER

### Office of the County Manager

21. **IGA WITH THE ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF ASU AND ITS CENTER FOR VIOLENCE PREVENTION AND COMMUNITY SAFETY – CONTINUED TO 7/23**

Approve Intergovernmental Agreement (IGA) in the amount of \$387,616 with the Arizona Board of Regents for and on behalf of Arizona State University and its Center for Violence Prevention and Community Safety and Maricopa County for the creation and implementation of the Community Crime Analysis Center (CCAC). The effective date of this IGA is July 1, 2008 through June 30, 2009. This agreement may be renewed, by written mutual agreement, for additional one-year periods, unless either party gives 30 days written notice to the other for termination. Also, approve an adjustment to the FY 2008-09 budget, once adopted, transferring \$387,616 from the Non-Departmental (470) General Fund (100) Other Programs (4712) "Crime Prevention Grants" line to a new line in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled "Community Crime Analysis Center". This amount will be used to fund the CCAC IGA during FY 2008-09. Approval of this action will allow the Arizona State University Center for Violence Prevention and Community Safety to provide research, analysis and consulting services

to the Board of Supervisors, county agencies, local governments and community organizations through a research partnership between Arizona State University and Maricopa County. (C4208022000)

**22. EXTEND EMPLOYMENT CONTRACT AND CAREER CENTER OPTION TO AFFECTED EMPLOYEES – APPROVED**

Approve the extension of employment contracts from the current expiration date of June 30, 2008 to July 30, 2008, for the following Integrated Criminal Justice Information System (ICJIS) contract employees: George Ballance, John Barrett, Thomas Gendron, David Gleason, Reginald Graham, Katherine Chiko Tabuch Johnson, Jeffrey Lundquist, Myron Pecora, Nancy Ann Rutter, Mriza Saracevic, Donald Thomas, Mark Wlodarczyk. After July 30, 2008, all contract positions will be eliminated and a small number of full-time classified positions will be in place in order to ensure the ongoing maintenance and development functions of ICJIS. Further, approve assignment of the contract ICJIS employees to Career Center from July 1, 2008 through July 30, 2008, even though their ECP/contracts specifically state that Career Center will not be provided. This matter was discussed in Executive Session on May 19, 2008. (C2008058000) (ADM3300)

**23. RESOLUTIONS TO APPLY AND ACCEPT INDIAN GAMING FUNDS – APPROVED**

- a. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Ak-Chin Indian Community for the **National Alliance on Mental Illness of Arizona's (NAMI) annual walk** in an amount not-to-exceed \$100,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between Ak-Chin Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$100,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008060300)

- b. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the **National Farm Workers Service Center's Sombra Apartment Homes Community Center** in an amount not-to-exceed \$151,333 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$151,333, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental

Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008061300)

- c. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the **Phoenix Zoo's EdVentures Program** in an amount not-to-exceed \$70,810 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$70,810, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008062300)

- d. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the **Buckeye Valley Fire District for a Replacement Pumper Apparatus** in an amount not-to-exceed \$275,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$275,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008063300)

- e. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for **Schools, Inc.'s Veterans Assistance Subsidy** in an amount not-to-exceed \$150,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely

for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$150,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008065300)

- f. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community **for Friendly House's Comprehensive Youth Services Capital Campaign** in an amount not-to-exceed \$300,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to ARS § 42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$300,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008066300)

- g. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community **for The Leukemia & Lymphoma Society's Community Outreach and Capacity Building Program** in an amount not-to-exceed \$25,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$25,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008067300)

- h. If funds are awarded, pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to and acceptance of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community and Maricopa County for the **Arizona Meth Project** in an amount not-to-exceed \$300,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), also approve an appropriation adjustment to Appropriated Fund Balance (470) General Fund (100) Other Programs (4712) Function 0001 Meth Project line item titled "Meth Project," increasing FY 2008-09 revenue and expenditure budgets up to \$300,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008068300)

- i. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to and acceptance of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community and Maricopa County for the **Arizona Meth Project** in an amount not-to-exceed \$300,000 for FY2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), also approve an appropriation adjustment to Appropriated Fund Balance (470) General Fund (100) Other Programs (4712) Function 0001 Meth Project line item titled "Meth Project," increasing FY 2008-09 revenue and expenditure budgets up to \$300,000. Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008069300)

- j. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the **Wilcox Late Night Basketball Program** in an amount not-to-exceed \$10,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between the Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$10,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are



not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008070300)

- k. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Salt River Pima-Maricopa Indian Community for the South Mountain Crime Prevention Project in an amount not-to-exceed \$13,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between Salt River Pima-Maricopa Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$13,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008071300)

- l. Pursuant to A.R.S. §5-601.02, authorize by Resolution, the application to, acceptance and pass-through of 12% Indian Gaming Funds (Proposition 202 (2002)) from the Gila River Indian Community for the **South Mountain Crime Prevention Program** in an amount not-to-exceed \$13,000 for FY 2008-09. Authorize the execution of all acceptance documents, including entering into any necessary Intergovernmental Agreements (IGA) between Gila River Indian Community and Maricopa County solely for the purposes of acceptance and distribution of funds, upon review and approval of assigned legal counsel.

If funds are awarded, pursuant to A.R.S. §42-17106(b), approve an appropriation adjustment to Non-Departmental (470), Non-Departmental Grant Fund (249), increasing the FY 2008-09 revenue and expenditure budgets not-to-exceed \$13,000, and the creation of an appropriate new line item in Non-Departmental (470) Non-Departmental Grant Fund (249) Pass Through Grants (4712). Indirect costs are not applicable to Tribal Gaming Grants. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C2008072300)

**24. RESCIND POLICY B4001 AND APPROVE POLICY A1513 – APPROVED**

Rescind Office of Management & Budget Policy B4001, Policy for Non-Profit Organization Economic Development Funding.

Approve Policy A1513 for Non-Profit Organization Economic Development Funding through the County Manager's Office. The purpose of this policy is to define the process required for non-profit organizations seeking financial support for economic development from Maricopa County. (C2008064600) (ADM633)

## DEPUTY COUNTY MANAGER

### Correctional Health

25. **INTERAGENCY SERVICE AGREEMENT WITH ARIZONA HEALTHCARE COST CONTAINMENT SYSTEM – APPROVED**

Approve Interagency Service Agreement (ISA) (YH08-0073) between the Arizona Healthcare Cost Containment System (AHCCCS) and Maricopa County Department of Correctional Health Services (CHS) and Department of Juvenile Probation Health Services (JPHSD) for Detainees (County) under which AHCCCS shall provide to County third party medical claims administration services to County for outside medical claims submitted for AHCCCS eligible and non- eligible inmates/detainees in return for payment by the County to AHCCCS of certain fees and costs estimated to be \$166,140.59 for the first year. The agreement shall take effect upon approval of the Maricopa County Board of Supervisors and shall expire on June 30, 2009, unless extended through amendment. Either party may terminate this agreement in whole or in part by providing 90 days written notice of termination to then other party. (C2608011000)

26. **WAIVER TO COMPENSATION PLAN SECTION VI.A. SALARY ADVANCEMENT – APPROVED**

Approve a waiver to the Maricopa County Compensation Plan Section VI.A. Salary Advancement to allow a salary advancement to be effective retroactively to November 19, 2007, for Sheila Pendleton, RN, in Correctional Health Services (CHS), as a result of a market range study. The cost associated with the approval of this retroactive salary advancement request is \$3,901.11 and will be fully funded within the department's current budget this fiscal year and subsequent years. (C2608012M00) (ADM3308-001)

27. **EXECUTIVE COMPENSATION PACKAGE – APPROVED**

Approve an Executive Compensation Package (ECP) for Diane Shook, an unclassified HR Consultant in the Correctional Health Services department, authorizing a deposit of 80 hours of FML to her leave balance effective May 5, 2008. (C2608013M00) (ADM3308-002)

### Employee Health Initiatives

28. **REVISED WELLNESS-RELATED HEALTH INITIATIVE – APPROVED**

Approve the wellness-related health initiative changes. These initiatives promote healthier life styles for employees through wellness events at the worksite. This will amend the original action (C3507025M00) approved on October 31, 2007. By offering a wide variety of wellness opportunities to support building a Well Workplace, employees may become motivated to participate in wellness programs and activities. (C3507025M01) (ADM3350)

### Office of Enterprise Technology

29. **LUMP SUM PAYMENTS TO COMPENSATE OFFICE OF ENTERPRISE TECHNOLOGY EMPLOYEES – APPROVED**

Approve three lump sum payments totaling \$425.69 to compensate Office of Enterprise Technology current and past employees for back wages resulting from a change to FLSA status.

The request is for one time payments of \$328.49 for William Maynard, \$60.64 for Mary Browning, and \$36.56 for Mary Killebrew for back wages of regular and paid-time off hours reported in excess of 40 per work week (not including over-time hours already paid) as a result of changing Fair Labor Standards Act (FLSA) status from Exempt to Non-Exempt identified as part of the Compensation Admin Market Study. The full amount of this request will be funded within the department's current budget. (C4108010M00) (ADM3308)

**30. DONATION OF ARCHITECTURE SERVICES FROM MICROSOFT CORPORATION – APPROVED**

Accept the donation of architecture services from Microsoft for the technology design of the Collaborative Solution Center. This donation is valued at approximately \$20,000 and does not commit Maricopa County for any future encumbrances or business with Microsoft. (C4108011M00) (ADM2700)

**31. DONATION OF TRAINING CLASSES FROM MICROSOFT CORPORATION – APPROVED**

Accept the donation of training classes from Microsoft Corporation for designated employees to attend specific training sessions on Microsoft products and solutions. The total estimated fair market value of the tuition expenses for the classes is \$35,000. There is no financial impact for travel costs since the classes will be onsite. (C4108012000) (ADM2700)

**Public Health**

**32. DONATION OF PHARMACEUTICAL PRODUCTS FROM PFIZER, INC.'S SHARING THE CARE PROGRAM – APPROVED**

Accept the donation of pharmaceutical products, at no cost to Maricopa County, from Pfizer, Inc.'s Sharing the Care Program for use in the Maricopa County Department of Public Health's (MCDPH) Healthcare for the Homeless Program (HCH) in the amount of \$50,000. These pharmaceutical products have been provided to MCDPH's pharmacy for distribution to HCH throughout FY 2008. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY07/2008 is 18%. This in-kind grant does not allow for indirect; therefore, \$9,000 is unrecoverable.

Also approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount not to exceed of \$50,000. The appropriation adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to §42-17105. Pharmaceutical products for this contract are provided by Pfizer, Inc., and will not affect the County general fund. (C8605554001) (ADM2150-006)

**33. AMENDMENTS TO CONTRACTS FOR WELL WOMAN HEALTHCHECK SERVICES – APPROVED**

- a. Approve Amendment No. 7 to Contract No. C86060231 between the Arizona Board of Regents d.b.a. **Arizona State University (ASU)** and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment extends the contract period to June 30, 2009, in an amount not-to-exceed \$100,000. All other terms and conditions of the original

Contract shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Arizona Board of Regents d.b.a. Arizona State University was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8606023107)

- b. Approve Amendment No. 7 to Contract No. C86060281 between **Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center** and Maricopa County through its Department of Public Health to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment extends the contract period to June 30, 2009, in an amount not-to-exceed \$60,000. All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8606028107)
- c. Approve Amendment No.11 to Contract No. C86070041 between **Mountain Park Health Center, Inc.** and Maricopa County through its Department of Public Health (MCDPH) to provide Well Woman Healthcheck services. This amendment extends the contract period to June 30, 2009 in an amount not-to-exceed \$48,000. All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Mountain Park Health Center, Inc. was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8607004108)
- d. Approve Amendment No. 2 to Intergovernmental Agreement (IGA) No. C86080442 between **Maricopa County Special Health Care District, d.b.a. Maricopa Integrated Health System (MIHS)** and Maricopa County through its Department of Public Health, to provide Well Woman Healthcheck services to uninsured or underinsured women. This amendment changed previous Amendment No. 2 approved by the Board on May 21, 2008 to Amendment No.1. This amendment also extends the contract period to June 30, 2009 in an amount not-to-exceed \$130,000. All other terms and conditions of the original IGA shall remain in full force and effect. This agreement is a subcontract to IGA (HG761266) between Maricopa County through its Department of Public Health, and the Arizona Department of Health Services (ADHS) and does not increase the county general fund. Reimbursement to subcontractors is on a per enrollee basis at a rate established by ADHS. Additional funding is provided by the Phoenix Affiliate of the Susan G. Komen Breast Cancer Foundation; this funding augments Well Woman Healthcheck services and provides funds for additional diagnostic and treatment services for women. MIHS was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8608044203)

**34. DONATION OF HUMAN IMMUNE DEFICIENCY (HIV) TEST KITS – APPROVED**

Accept the donation of Human immune deficiency (HIV) test kits, at no cost to Maricopa County, from Arizona Department of Health Services for use in the Maricopa County Department of Public Health (MCDPH) for its HIV/HCV Infection Control and Surveillance Program in the amount of \$29,064. These test kits have been provided to MCDPH for use by the HIV/HCV Infection Control and Surveillance Program throughout FY 2007-08. These test kits are awarded in-kind, the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY 2007-08 is 18%. This in-kind donation does not allow for indirect; therefore, indirect expenses estimated at \$5,232 are unrecoverable.

Also, approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount not-to-exceed of \$29,064. The appropriation adjustment is necessary because these funds were not included in the FY 2007-08 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. In-kind donations are provided by a grant from ADHS and will not increase the County general fund budget. (C8606075202) (ADM2150-006)

**35. DONATION OF VARIOUS VACCINES FROM ADHS – APPROVED**

Accept the additional donation of various vaccines, at no cost to Maricopa County, from the Arizona Department of Health Services (ADHS) for use in the Maricopa County Department of Public Health's (MCDPH) Immunization Program in the amount of \$2,500,000. Vaccines in the amount of \$6,000,000 were included in the FY 2008 adopted budget. The total value of the vaccines in FY 2008 are estimated at \$8,500,000. This grant-like item is awarded in-kind and the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY 2008 is 18%. This in-kind grant does not allow for indirect; therefore, \$450,000 is unrecoverable.

Also, approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount not-to-exceed of \$2,500,000. The appropriation adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to §42-17105. In-kind donations are provided by a grant from ADHS and will not increase the County general fund budget. (C8608056201) (ADM2150-006)

**36. DONATION OF LAB SUPPLIES FROM ADHS – APPROVED**

Accept the donation of additional lab supplies, at no cost to Maricopa County, from Arizona Department of Health Services for use in the Maricopa County Department of Public Health's (MCDPH) for sexually transmitted disease (STD) services in the amount of \$70,000. Lab test supplies in the amount of \$100,000 were included in the FY 2008 adopted budget. The total value of the lab test supplies in FY 2008 are estimated at \$170,000. These lab supplies have been provided to MCDPH for distribution to the STD program throughout FY 2008. These lab supplies are awarded in-kind, the value of which will be booked as a revenue and expenditure in the Finance System. MCDPH's indirect rate for FY 2008 is 18%. This in-kind donation does not allow for indirect; therefore, indirect expenses estimated at \$12,600 is unrecoverable.

Also, approve revenue and expenditure adjustments to the Public Health Department's Grant Fund (Department 861, Fund 532) associated with the aforementioned donation in an amount



not- to-exceed of \$70,000. The appropriation adjustment is necessary because these funds were not included in the FY 2008 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Lab supplies are provided by ADHS and will not effect the County general fund. (C8608064201) (ADM2150-006)

**37. AMENDMENT TO IGA WITH ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF ASU – APPROVED**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) between Arizona Board of Regents for and on behalf of Arizona State University (ASU) and Maricopa County Department of Public Health's Emergency Management Program (PHEM). This amendment increases the contract dollar amount by \$50,000 changing the contract dollar amount from \$50,000 to an amount not-to-exceed \$100,000. All other terms and conditions of the original Agreement shall remain in full force and effect. (C8608072202)

**38. MOUs FOR HIV COUNSELING, ANTI-BODY TESTING, PARTNER COUNSELING AND HEALTH CARE REFERRAL SERVICES – APPROVED**

- a. Approve a non-financial Memorandum of Understanding (MOU) between Valley of the Sun YMCA (VOSYMCA), and Maricopa County by and through the Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance, for the outstationing of MCDPH personnel to provide HIV counseling, anti-body testing, partner counseling and health care referral services in a room provided, rent-free, at VOSYMCA. This MOU will be in effect from June 2, 2008 to June 1, 2009, and is renewable for an additional two years by mutual agreement. (C8608083000)
- b. Approve a non-financial Memorandum of Understanding (MOU) between the Native American Community Health Center, Inc. (NACHCI), and Maricopa County by and through the Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance, for the out-stationing of MCDPH personnel to provide HIV counseling, anti-body testing, partner counseling and health care referral services in a room provided, rent-free, at NACHCI. This MOU will be in effect from June 1, 2008 to December 31, 2009 and is renewable for an additional two years by mutual agreement. (C8608084000)

**39. IGA FOR GRANT FUNDING FOR NATIONAL SURVEILLANCE AZITHROMYCIN RESISTANCE – APPROVED**

Approve the Intergovernmental Agreement (IGA) Contract No. HG854504 between the Arizona Department of Health Services (ADHS) and Maricopa County by and through the Department of Public Health (MCDPH) to provide grant funding for National Surveillance Azithromycin Resistance (NSAR). The NSAR will be conducted by the STD program. The term for this IGA is January 1, 2008 through December 31, 2008. This IGA is budgeted in the amount of \$10,000 for the budget period of January 1, 2008 through December 31, 2008, and is effective upon execution by both parties. The Department of Public Health's FY 2008-09 indirect rate is 18%. This grant allows for the full indirect estimated at \$1,525, all of which is recoverable.

Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$0 for FY 2007-08 and \$10,000 for FY 2008-09. Appropriation adjustment is necessary because these funds are not included in the FY 2008-09 budget. Grant revenues are not local revenues for

the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by the Grant from ADHS and will not increase the County general fund budget. (C8608085200)

**40. PARTNERSHIP AGREEMENTS FOR NUTRITION AND PHYSICAL ACTIVITY EDUCATION – APPROVED**

Approve the following non-financial Partnership Agreements (PA) with Maricopa County by and through the Department of Public Health (MCDPH), Arizona Nutrition Network (ANN) to provide nutrition and physical activity education to the schools in this district. The PA is part of the ANN grant. This PA will be in effect from July 1, 2008 to June 30, 2010.

- a. Madison School District #38. (C8609003000)
- b. Phoenix Elementary School District. (C8609004000)
- c. Fowler Elementary School District. (C8609005000)
- d. Osborn School District. (C8609006000)

**ASSISTANT COUNTY MANAGER – COMMUNITY COLLABORATION**

**Animal Care & Control**

**41. TRANSFER OF REVENUE AND EXPENDITURE AUTHORITY – APPROVED**

Pursuant to A.R.S. §42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Animal Care and Control Department (790) Animal Care and Control License/Shelter Fund (572). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470), Non-Departmental Grants Fund (249) by not to exceed \$1,072,652 and increasing the FY 2007-08 Animal Care and Control Department (790) Animal Care and Control License/Shelter Fund (572) by not-to-exceed \$1,072,652.

Also, in accordance with A.R.S. 42-17106(B), approve the transfer of revenue and expenditure authority between Non-Departmental (470), Non-Departmental Grants Fund (249) and the Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574). This action will require a revenue and expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470), Non-Departmental Grants Fund (249) by not to exceed \$513,729 and increasing the FY 2007-08 Animal Care and Control Department (790) Animal Care and Control Field Operation Fund (574) by not to exceed \$513,729.

Also, approve a revenue and expenditure budget increase to the Animal Care and Control (790) Animal Care and Control Donation Fund (573) in the amount of \$50,725. This adjustment will allow the Animal Care and Control Department to have sufficient budget authority to meet its expenditure commitments from the donations it has received this fiscal year. Donation revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.



These adjustments will result in a County-wide net financial impact of zero and will allow the Animal Care and Control Department to have sufficient budget authority to meet its expenditure commitments. (C7908127800) (ADM2300-003)

**42. DONATION – APPROVED**

Accept the monetary donation from **Vernice Windus** of Chandler, AZ in the amount of \$250 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C7908126700) (ADM2300-006)

**Human Services**

**43. AMENDMENT TO IGA WITH EAST VALLEY INSTITUTE OF TECHNOLOGY – APPROVED**

Approve Amendment No. 7 to the Intergovernmental Agreement between East Valley Institute of Technology (EVIT) and Maricopa County Human Services Department (HSD). This amendment will extend the term of this agreement from July 1, 2008, through June 30, 2009. EVIT provides HSD with facilities to operate five Head Start and Early Head Start classrooms and two playgrounds at a cost not-to-exceed \$15,000. EVIT is located at 1601 W. Main Street, Mesa, Arizona. (C2202064209)

**44. CHANGE ORDER TO IGA WITH THE CITY OF PHOENIX FOR SPECIAL TRANSPORTATION SERVICES – APPROVED**

Authorize execution of Change Order No. 2 to Intergovernmental Agreement (IGA) AZ 90-X070 with the City of Phoenix for Special Transportation Services to extend the Grant Reimbursement Term from December 31, 2007 to December 31, 2008. (C2205071202)

**45. AMENDMENTS TO CONTRACTS FOR RAPID RESPONSE TRAINING – APPROVED**

Approve the amendments to the following contracts with Maricopa County Human Services Department for the rapid response training. These amendments are effective from July 1, 2008 until June 30, 2009.

- a. Amendment No. 3 to Contract C220514810, with **Andrew Stevens and Associates** in the amount of \$25,000. (C2205148103)
- b. Amendment No. 3 to Contract C2205149103, with **Murro Partners, LLC** in the amount of \$15,000. (C2205149103)
- c. Amendment No. 3 to Contract C2205150103, with **Interface Technical Training** in the amount of \$10,000. (C2205150103)

**46. AMENDMENTS TO IGAs/CONTRACTS FOR DELIVERY OF VARIOUS COMMUNITY AND CASE MANAGEMENT/EMERGENCY SERVICES – APPROVED**

- a. Approve Amendment No. 1 to IGA C22080662, between Maricopa County Human Services Department and the **City of Avondale**, for the delivery of various

community and case management/emergency services for low-income Maricopa County residents. Funding in the amount of \$116,762 is provided by the Arizona Department of Economic Security (\$90,692) and Maricopa County (\$26,070). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208066201)

- b. Approve Amendment No. 1 to Intergovernmental Agreement (IGA) (C2208067200), between Maricopa County Human Services Department and the **Town of Buckeye**, for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding in the amount of \$97,834 is provided by the Arizona Department of Economic Security (\$71,764) and Maricopa County (\$26,070). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208067201)
- c. Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C220806921, between Maricopa County Human Services Department and the **Town of Gila Bend**, for the operation of the Community Action Program for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding, in the amount of \$79,613, is provided by the Arizona Department of Economic Security (\$54,587) and Maricopa County (\$25,026). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208069201)
- d. Approve Amendment No. 1 Intergovernmental Agreement (IGA) C22080712, between Maricopa County Human Services Department and the **City of Glendale**, for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding in the amount of \$242,047 is provided by the Arizona Department of Economic Security (\$188,941) and Maricopa County (\$53,106). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208070201)
- e. Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C2208071201, between Maricopa County Human Services Department and the **Town of Guadalupe**, for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding in the amount of \$84,157 is provided by the Arizona Department of Economic Security (\$58,087) and Maricopa County (\$26,070). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208071201)
- f. Approve Amendment No. 1 to Intergovernmental Agreement (IGA) C2208072201, between Maricopa County Human Services Department and the **City of Tolleson**, for the operation of the Community Action Program for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding, in the amount of \$86,727, is provided by the Arizona Department of Economic Security (\$58,736) and Maricopa County (\$27,991). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208072201)
- g. Approve Amendment No. 1 to Contract C22080732, between Maricopa County Human Services Department and **Community Services of Arizona, Inc.**, for the operation of the Community Action Program for the City of Chandler for the delivery of various community and case management/emergency services for low-income Maricopa County residents in Chandler, Arizona. Funding, in the amount of \$152,547 is provided by the Arizona Department of Economic Security (\$105,532) and Maricopa County (\$47,015). This Amendment is effective from July 1, 2008 until June 30, 2009. (C2208073101)

- h. Approve Amendment No. 1 to Contract C22080741, between Maricopa County Human Services Department and **Community Services of Arizona, Inc.**, for the operation of the Community Action Program for the Town of Gilbert for the delivery of various community and case management/emergency services for low-income Maricopa County residents in Gilbert, Arizona. Funding in the amount of \$100,944 is provided by the Arizona Department of Economic Security (\$74,699) and Maricopa County (\$26,245). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208074101)
  - i. Approve Amendment No. 1 to Contract C22080751, between Maricopa County Human Services Department and **FSL Programs**, an affiliate of Foundation for Senior Living, for the delivery of various community and case management/emergency services for low-income Maricopa County residents in the City of Peoria and the Town of Wickenburg. Funding in the amount of \$201,455 is provided by the Arizona Department of Economic Security (\$144,749) and Maricopa County (\$56,706). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208075101)
  - j. Approve Amendment No. 1 to Contract C22080761, between Maricopa County Human Services Department and **Tempe Community Action Agency Inc.**, for the operation of the Community Action Program for the City of Tempe for the delivery of various community and case management/emergency services for low-income Maricopa County residents. Funding in the amount of \$211,554 is provided by the Arizona Department of Economic Security (\$150,949) and Maricopa County (\$60,605). This amendment is effective from July 1, 2008 until June 30, 2009. (C2208076101)
47. **AMENDMENT TO CONTRACT WITH FSL HOME IMPROVEMENTS – APPROVED**
- Approve Amendment No. 3 to Contract (C2208089102), between Maricopa County Human Services Department and FSL Home Improvements, an affiliate corporation of the Foundation for Senior Living, to exercise option year one (of two one-year renewal options), in the amount of \$1,149,262. This amendment is effective July 1, 2008 until June 30, 2009. (C2208089103)
48. **AMENDMENT TO CONTRACT WITH MAXIMUS, INC. FOR TRANSPORTATION SERVICES – APPROVED**
- Approve Amendment No. 1 to C2208101000, between Maximus, Inc. and Maricopa County Human Services Department, for the provision of employment-related transportation services in the amount of \$250,000. This Amendment is effective March 1, 2008 until September 20, 2008. Also, approve revenue and expenditure appropriation adjustments to the Human Services Department, (220), Human Services Grants, (222) in the amount of \$60,000. (C2208101001)
49. **IGA WITH COCONINO COUNTY FOR SERVICES FOR DISLOCATED WORKERS AND YOUTH – APPROVED**
- Approve Intergovernmental Agreement (IGA) C22081412, between Coconino County and Maricopa County Human Services, to provide funding for services for Dislocated Workers (\$20,000) and Youth (\$10,000) in the amount of \$30,000 total. This IGA is effective from June 18, 2008 until September 30, 2008. (C2208141200)

**50. IGA WITH NORTHERN ARIZONA COUNCIL OF GOVERNMENTS FOR SERVICES FOR DISLOCATED WORKERS AND YOUTH – APPROVED**

Approve Intergovernmental Agreement (IGA) C22081422, between Northern Arizona Council of Governments and Maricopa County Human Services, to provide funding for services for Dislocated Workers and Youth in the amount of \$25,000 in Dislocated Worker funds and \$25,000 in Youth funds for a total amount of \$50,000. This IGA is effective from June 18, 2008 until September 30, 2008. (C2208142200)

**51. REVENUE AND EXPENDITURE APPROPRIATION ADJUSTMENTS – APPROVED**

Approve revenue and expenditure appropriation adjustments to the Human Services Grant Fund (Department 220, Fund 222) in the net amount of (\$3,553,346.00) as identified on the attached Grant Summary Reconciliation for FY 2007-08. The appropriation adjustment is necessary because the carry forward amounts of prior year grants and award amounts of new grants differ from the amount approved in the FY 2007-08 Budget. This action is in accord with the action plan developed by the Office of Management and Budget and Human Services to insure compliance with the Board approved Budgeting for Results Accountability Policy. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The indirect cost rate as of July 1, 2008 is 15.2%, as calculated by the Department of Finance. Most of the grants for FY 2007-08 allow for indirect cost recovery, as reflected in the funding agreements. The status of the indirect costs for each grant is noted on the attached summary sheet. (C2208225300)

**52. APPLY FOR FUNDS TO VARIOUS FEDERAL, STATE AND PRIVATE SECTOR SOURCES – APPROVED**

Authorize the Maricopa County Human Services Department Workforce Development Division to submit up to 10 funding applications to various federal, state and private sector sources as detailed on Attachment A. Also, authorize the Chairman to approve the receipt of all such funds awarded during FY 2009 as a result of the corresponding grant requests. Attachment A provides details on indirect cost recovery and, unless otherwise indicated on Attachment A, all overhead/indirect costs are allowable and the FY 2009 authorized rate will be applied to the respective grants. The funding requested will not exceed \$12,248,000 in total. The Department's FY2009 authorized indirect cost rate of 15.2% will be applied and total estimated indirect costs are \$1,188,556.00 Programs to be supported by the funding include:

1. Youth & Adult/Dislocated Worker – Job Seeker Program This program will provide eligible youth between the ages of 14 to 21 with opportunities to complete high school or obtain a G.E.D. through tutoring/study skills training. Youth will be provided work place training opportunities, occupational skills training, support services, mentoring and comprehensive guidance counseling. Youth will also be provided with training to develop leadership skills. Through this program youth expand their options for their future. This program will also provide job preparedness educational and occupational training opportunities to adults that are seeking jobs. Dislocated workers will be provided training and job placement assistance to reduce the disruption in their lives that were a result of having been laid-off. This program will enable job seekers to gain long term employment and achieve economic self-sufficiency.
2. Infrastructure & Capacity Building Program This program provides for the service delivery of the WIA One Stop centers. Through collaborations with community partners and local businesses the One Stop centers will customize employee recruitment and match

qualifying workers to available job positions. The One Stop centers will hold job fairs and will provide transition assistance for local employers that experience a reduction in force and must lay-off employees. Computers, fax machines and copiers are available for the job seeker to use while they are job searching. The One Stop centers offer workshops on job search and job retention skills, assessment tools for measuring interests, aptitude & skills, career exploration workshops, vocational counseling, and job placement assistance. The One Stop centers can be used by employers that have job openings for recruitment of new employees. The WIA One Stop centers house several agencies such as Arizona Department of Economic Security, AZ Department of Veteran Services, Maximus, Vocational Rehab, Call-a-Teen and Maricopa Community Colleges these partnerships and collaborations provide maximum convenience to job seekers that may require assistance from several agencies. (C22090073ZZ)

**53. CONTRACT WITH PHOENIX JOB CORPS – APPROVED**

Approve Contract C22090631, between Phoenix Job Corps and Maricopa County Human Services, Phoenix Job Corps will provide payment for costs associated with being co-located in the Maricopa County Human Services Department Workforce Development Division One Stop Career Centers in the amount of \$25,274. This contract is effective from July 1, 2008 until June 30, 2010. (C2209063100)

**54. IGA WITH ARIZONA DEPARTMENT OF VETERANS' SERVICES (ADVS) – APPROVED**

Approve Intergovernmental Agreement (IGA) (C22090641), between Arizona Department of Veterans' Services (ADVS) and Maricopa County Human Services, ADVS will provide payment for costs associated with being co-located in the Maricopa County Human Services Department Workforce Development Division One Stop Career Centers in the amount of \$4,140. This IGA is effective from July 1, 2008 until June 30, 2010. (C2209064100)

**55. CONTRACT WITH MAXIMUS FOR CO-LOCATION RELATED COSTS – APPROVED**

Approve Contract C22090661, between Maximus and Maricopa County Human Service, Maximus will provide payment for costs associated with being co-located in the Maricopa County Human Services Department Workforce Development Division One Stop Career Centers in the amount of \$138,904.41. The WIA One Stop centers house several agencies such as Maximus and other partner agencies that provide integrated one-stop service delivery for employers, job seekers, and individuals seeking career advancement in Maricopa County. For this reason, co-location of Maximus staff ensures an efficient way to provide a full range of services to Maricopa County residents Maricopa County Human Services Department has identified the costs associated with maintaining this service delivery system in both career centers. The partner agencies have agreed to pay operational costs, a memorandum of understanding (MOU) and a Resource Sharing Agreement (RSA) was developed whereas all partners agreed to pay their share of the operational cost of the One Stop Centers. Maximus has agreed to pay the cost identified for their respective area and their share of the common space costs. This contract is effective from July 1, 2008 until June 30, 2010. (C2209066100)

**56. CONTRACT WITH ARIZONA WOMEN'S EDUCATION & EMPLOYMENT (AWEE) – APPROVED**

Approve Contract C22090671, between Arizona Women's Education & Employment (AWEE) and Maricopa County Human Services, AWEE will provide payment for costs associated with being co-located in the Maricopa County Human Services Department Workforce Development Division

One Stop Career Centers in the amount of \$6,197. This contract is effective from July 1, 2008 until June 30, 2010. (C2209067100)

**57. IGA WITH ARIZONA DEPARTMENT OF VETERANS' SERVICES FOR TROOPS TO TEACHERS(ADVS/TTT) – APPROVED**

Approve Intergovernmental Agreement (IGA) C22090681, between Arizona Department of Veterans' Services for Troops to Teachers (ADVS/TTT) and Maricopa County Human Services, ADVS/TTT will provide payment for costs associated with being co-located in the Maricopa County Human Services Department Workforce Development Division One Stop Career Centers in the amount of \$16,559. This IGA is effective from July 1, 2008 until June 30, 2010. (C2209068100)

**58. IGA WITH KYRENE ELEMENTARY SCHOOL DISTRICT FOR SERVICES TO PRESCHOOL CHILDREN WITH DISABILITIES – APPROVED**

Approve the non-financial intergovernmental Agreement (IGA) C22090702 between Kyrene Elementary School District and Maricopa County Human Services Department to collaboratively provide the Maricopa County Head Start program with services to preschool children with disabilities, as defined in A.R.S. §15-761, who are enrolled in the Head Start program. The Agreement is effective July 1, 2008 through June 30, 2011. (C2209070000)

**59. IGA WITH THE CITY OF SURPRISE FOR A WORKFORCE STUDY – APPROVED**

Approve Intergovernmental Agreement (IGA) C22090722, between the City of Surprise and Maricopa County Human Services, to provide funding for a Workforce Study to be conducted in Maricopa County in the west valley in the amount of \$44,000. This IGA is effective from July 1, 2008 until June 30, 2009. (C2209072200)

**CHIEF FINANCIAL OFFICER**

**Finance**

**60. FUND TRANSFERS; WARRANTS – APPROVED**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

**61. LEASE WITH HALO/HELPING ANIMALS LIVE ON, INC – APPROVED**

Approve new triple net revenue lease No. MC-10180 with HALO/HELPING ANIMALS LIVE ON, Inc., an Arizona nonprofit corporation as Lessee. The lease is for a Maricopa County owned animal adoption center located at 5231 North 35th Avenue, Phoenix, Arizona. The 5,422 square foot facility will be used by Lessee solely for rescue and adoption of animals. The initial lease term is for 60-months commencing with Board approval and contains one five-year renewal option. Lessee will pay \$1.00 per year for rent. Lessee will take the space as-is and will be responsible for all costs of operating and maintaining the facility for the term of the lease. This



item has been endorsed by the Facilities Review Committee and is subject to the advertisement requirements of A.R.S. §256.01. (C1808049400)

**62. TRANSFER AND CONVEYANCE OF REAL PROPERTIES – APPROVED**

Approve the transfer and conveyance of real properties, identified as Assessor's parcel numbers 500-28-003C, 500-28-003D, 500-26-001D and 500-41-001, located at the Agua Fria River and MC-85 (Buckeye Road), to the Flood Control District of Maricopa County, at no cost to the County or the District, and authorize the Chairman of the Board to execute all necessary documents approved by County Counsel to complete the transfer and conveyance (Flood Control District Agenda Item Control Number C6908062B00). **THIS ACTION REQUIRES A UNANIMOUS VOTE BY THE BOARD OF SUPERVISORS.** (C1808053B00) (ADM811)

**63. ANNUAL PAYMENT TO THE INTERNATIONAL GENOMICS CONSORTIUM (IGC) – APPROVED**

Approve the first of five annual \$1,000,000 payments to the International Genomics Consortium (IGC) pursuant to the First Amendment to Economic Development Funding Agreement approved by the Board of Supervisors on August 8, 2007 (C1803008101) and executed between IGC and Maricopa County (County) on September 12, 2007. (C1808054100)

**64. IGA WITH CITY OF PHOENIX FOR COUNTY JAIL SERVICES AND FACILITIES – APPROVED**

Approve the Intergovernmental Agreement (IGA) for County Jail Services and Facilities between Maricopa County Board of Supervisors and the City of Phoenix. The City of Phoenix City Council approved the IGA at their April 30, 2008, City Council Meeting. The effective date of the IGA is July 1, 2008 and has a term of five years. This item was discussed in Executive Session on June 16, 2008. (C1808055200)

**65. TRANSFER BUDGETED EXPENDITURES FOR THE SUNNYSLOPE PROBATION FACILITY PROJECT – APPROVED**

Authorize and approve the transfer of budgeted expenditures for the Sunnyslope Probation Facility (project SSPR) from the General Fund County Improvement Fund (Fund 445) to the Financing Series 2007 Fund (Fund 440) in the amount of \$1,400,000. The acquisition of the Sunnyslope Probation Facility was authorized per Agenda item C1808006100 and purchased from the General Fund County Improvement Fund (Fund 445). This action moves the budgeted expenditures from Fund (445) in the amount of \$1,400,000 to the Financing Series 2007 Fund (Fund 440) in the amount of \$1,400,000. This action does not increase the County-wide budget. (ADM800-016) (C1808015800) (C1808057800)

**Materials Management**

**66. SOLICITATION SERIALS – APPROVED**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award**



- 08005-RFP Ryan White Part A Consulting Services (\$400,000 estimate/three years with three one-year renewal options)** Contract for Consulting Services for the Ryan White Program.
- Collaborative Research
  - Gay Family Foundation, LTD
  - Intergroup Services
  - JVGA
  - TriYoung Business Solutions
- 08056-S Nice Vision System: Maintenance, Repair and Parts (\$1,500,000 estimate/three years with three one-year renewal options)** Price agreement for the continued maintenance, repair and parts for the NICE Vision System. This system is utilized in the jails for visual surveillance of inmates.
- ASSI Security Of Arizona
- 08017-C Ammunition: Service and Reloaded (\$1,300,000 estimate/three years with three one-year renewal options)** Price agreement for the purchase of service and reloaded ammunition for the Sheriff Office and Protective Services.
- Adamson Police Products
  - Combat Cartridge, Inc.
  - Precision Ammunition, LLC
  - San Diego Police Equipment
- 08038-ROQ Supplemental Specialty Legal Services Providers-County Attorney (\$36,300,000 estimate/three years with three one-year renewal options)** Contract to provide supplemental legal services to the Maricopa County Attorney's Office and Risk Management. This contract provides supplemental legal expertise for a number of unique legal specialties.

Berke Law Firm, PLLC	Buckley King, LPA
Berry & Associates	Klein, Lundmark, Barberich & Lamont, P.C.
Law Office Of Scott E. Boehm	Kutak Rock
Bonnett Fairbourn	Paul F. Lazarus, P.C.
Barbara Lee Caldwell, P.C.	Julie M. Lemmon
Burch & Cracchiolo, P.A.	Lewis Brisbois Bisgaard Smith
Calderon Law Offices	Littler Mendelson
Chetham & Associates	Mariscal, Weeks, et al.
The Elardo Law Firm, P.C.	Miller Kramer, PLLC
Fadell, Cheney & Burt, PLLC	O'Connor & Campbell, P.C.
Douglas V. Fant	Ogletree Deakins Nash Smoak St
Ford & Harrison, LLP	Olson, Jantsch & Bakker, P.A.
Law Office Of Jerry A. Fries	Poli & Ball, PLC
Gaona Law Firm	Renaud Cook Drury Mesaros, P.A.
Gordon & Rees, LLP	Richards Law Office, P.C.
Gray & Fassold, P.C.	Ridenour, Hienton, Kelhoffer
Green & Baker	Rose Law Group
Greenberg Traurig, LLP	Ryan Rapp & Underwood, P.L.C.
Gust Rosenfeld, P.L.C.	Ryley Carlock & Applewhite
Harper Christian Dichter Graif	Sanders & Park, P.C.
Helm & Kyle	Schmitt, Schneck, Smyth & Herrod, P.C.
Law Office of Kesha A. Hodge	Schneider & Onofry
Hopkins Law Offices, P.L.C.	Squire, Sanders & Dempsey
Hymson Goldstein & Pantiliat	Richard Strohm, Attorney

lafrate & Associates Jardine, Baker, Hickman & Hous Jennings, Haug & Cunningham Jennings, Strouss & Salmon Johnston Law Offices, P.L.C. Jones, Skelton & Hochuli, PLC Jorden Bischoff & Hiser, PLC Kent & Bechtel, PLLC	Swenson, Storer, Andrews, Frazelle & Sayre Lon S. Taubman, P.C. Charles W. Whetstine, P.C. Wilenchik & Bartness, P.C. Dean M. Wolcott Zwillinger, Georgelos & Greek
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**Renewals/Extensions:**

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

**Until June 30, 2010**

- 01178-RFP      Employee Health Benefits Plan (\$9,000,000 estimate/two years)** Contract renewal to provide employee health benefits as required. This renewal covers general medical coverage.
- Cigna Healthcare Of Arizona

**Until June 30, 2012**

- 01178-RFP      Employee Health Benefits Plan (\$18,000,000 estimate/four years)** Contract renewal to provide employee health benefits as required. This renewal covers pharmacy service coverage.
- Walgreens Health Initiatives

**Approve an increase in the price agreement amount for the following contract(s). This request is due to an increased usage by County departments.**

- 04073-C      Liquid Insecticide (\$550,000 increase)** Increase price agreement value from \$250,000 to \$800,000. This \$550,000 increase is being requested by Environmental Services to purchase needed product to be used in the County's West Nile Virus Control Program. This agreement was initially approved by the Board on July 7, 2004 and subsequently renewed by the Materials Management Director in the amount of \$250,000 on March 8, 2007. Expiration date is July 31, 2009.
- Public Health Equipment & Supply
  - Univar USA

**Parks and Recreation**

**67.      LICENSE AGREEMENT FOR ACCESS ACROSS USERY MOUNTAIN REGIONAL PARK WITH ACTION TOWERS SITES, LLC – APPROVED**

Approve a License Agreement for access across Usery Mountain Regional Park with Action Towers Sites, LLC, an Arizona Limited Liability Corporation and authorize the Chairman to execute all necessary documents approved by County Counsel to complete the License Agreement. The term of this Agreement is for a period of 10 years from the date of execution by

the Maricopa County Board of Supervisors. This agreement shall renew automatically for additional terms of 10 years unless sooner terminated by mutual agreement of the Parties should reasonable access become available outside Utery Mountain Regional Park. This License Agreement will replace the existing Temporary Easement Agreement (C3098035B) which expires on December 2, 2008. There is no financial impact. (C3008031000)

**68. ACCEPT FROM THE ARIZONA GAME AND FISH DEPARTMENT THE AWARDED HERITAGE GRANT FUNDING – APPROVED**

Accept from the Arizona Game and Fish Department (AGFD) the awarded Heritage Grant funding in the amount of \$48,200 to develop a wildlife viewing pond at White Tank Mountain Regional Park. The period of the grant is three years from date of signature of Arizona Game and Fish Department Director. The Parks department's indirect cost rate for FY 2009 is 19.5%. Indirect costs are not recoverable and calculated to be \$9,399. Also approve an appropriation adjustment increasing the FY 2008-09 Parks and Recreation Department (300), Grants Fund (230) revenue and expenditure budgets by \$48,200.00 This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Also authorize the Parks and Recreation Department to sign necessary reporting and reimbursement paperwork to administer the grant. (C3008032300)

**69. ACCEPT FROM THE ARIZONA GAME AND FISH DEPARTMENT THE AWARDED HERITAGE GRANT FUNDING FOR PURCHASE OF MONOCULAR AND STEREO MICROSCOPES – APPROVED**

Accept from the Arizona Game and Fish Department (AGFD) the awarded Heritage Grant funding in the amount of \$7,500. The period of the grant is three years from date of signature of Arizona Game and Fish Department Director. The department's indirect cost rate for FY 2009 is 19.5%. Indirect costs are not recoverable and calculated to be \$1,462.50. Approve an appropriation adjustment increasing the FY 2008-09 Parks and Recreation Department (300), Grants Fund (230) revenue and expenditure budgets by \$7,500. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Also authorize the Parks and Recreation Department to sign necessary reporting and reimbursement paperwork to administer the grant. (C3008033300)

**70. USE MANAGEMENT AGREEMENT WITH HARVEST FAMILY ENTERTAINMENT, LLC – APPROVED AS AMENDED**

Approve the Use Management Agreement between Maricopa County and Harvest Family Entertainment-Arizona, LLC for the management, operation and maintenance of the Adobe Dam Regional Park Aquatic and Amusement Park Concession and the potential construction and operation of additional amusements including an NHL sized ice rink and a family entertainment and education center to be located at Adobe Dam Regional Park. The term of the Agreement shall be from October 1, 2008 through September 30, 2033 (approximately 25 years) with a 25-year renewal option. All development costs will be at the expense of Harvest Family Entertainment, LLC. Guaranteed revenue for Maricopa County Parks and Recreation (Dept 300 Fund 240) over the life of the original term is \$1,442,160. (C3008034100)

**Risk Management**

**71. AGREEMENT WITH APS FOR ACCESS TO COUNTY PROPERTY FOR SOIL, VAPOR, AND GROUNDWATER MONITORING – APPROVED**

Approve Amendment No 1 to Environmental Access Agreement between Maricopa County, and Arizona Public Service (APS), allowing APS access to County property at 320 W Lincoln Street for additional soil, vapor, and groundwater monitoring pursuant to paragraph 4 of the original agreement. This Agreement is non-financial and will be effective from date the Agreement is approved by the Board through June 15, 2009. This matter was discussed in executive session on May 19, 2008. (C7508036000)

## **ASSISTANT COUNTY MANAGER – REGIONAL DEVELOPMENT SERVICES**

### **Air Quality**

**72. APPLY AND ACCEPT GRANT FUNDS FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY – APPROVED**

Approve the renewal application and acceptance of grant funds from the United States Environmental Protection Agency (EPA), Award PM-98954601-0, in the amount of \$60,680. These grant funds are for continued implementation and enhancement of the PM2.5 monitoring network operation designed to attain the PM2.5 standard. The grant period is from April 1, 2008 through March 31, 2009. Indirect costs of \$8,949 are fully recoverable at 17.3%, the FY09 Air Quality composite indirect rate. This is a reimbursement grant and matching funds are not required. Authorize the Chairman to sign all documents related to these grant funds. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S §42-17105. (C8508025300)

### **Emergency Management**

**73. ACCEPT PALO VERDE NUCLEAR GENERATING STATION FUNDING FROM THE ARIZONA DIVISION OF EMERGENCY MANAGEMENT – APPROVED**

Approve and accept Palo Verde Nuclear Generating Station funding from the Arizona Division of Emergency Management as appropriated from the Arizona State Legislature for FY09 in the amount of \$354,588. The grant period is July 1, 2008 to June 30, 2009. The Palo Verde funding was included in the FY 2008-09 base budget in the amount of \$354,588. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C1509001300)

**74. ACCEPT FUNDS FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY – APPROVED**

Approve and accept \$99,248 in 2007 Federal Homeland Security Grant Program 333201-02 CFDA 97.067 from the Arizona Department of Homeland Security. The grant period is July 1, 2007 to July 31, 2009. This is a reimbursable grant. The funds are being awarded to support the Citizen Corps Planner. Maricopa County Department of Emergency Management's (MCDEM) current indirect cost rate is 13.80% for FY09. Indirect costs of \$12,035.35 are allowable and recoverable. This Homeland Security Grant was included in the FY09 base budget in the amount of \$99,248.00. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C1509003300)

**75. ACCEPT FUNDING FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY TO SUPPORT THE CITIZEN CORPS PROGRAM – APPROVED**

Approve and accept \$38,761.00 in 2007 Federal Homeland Security Grant Program 333201-03 CFDA 97.067 from the Arizona Department of Homeland Security to support the Citizen Corps program. The grant period is July 1, 2007 to July 31, 2009. This is a reimbursement grant. MCDEM's current indirect cost rate is 13.80% for FY 2008-09. Indirect costs of \$4,700.37 are allowable and recoverable. This Homeland Security Citizen Corps grant was included in the FY 2008-09 base budget in the amount of \$38,761.00. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. (C1509004300)

**Environmental Services**

**76. AMENDMENT TO IGA WITH ADHS – APPROVED**

Approve amendment No. 2 to Intergovernmental Agreement (IGA) HG752215 between Maricopa County and the Arizona Department of Health Services (ADHS) for delegated duties from ADHS to implement education and report compliance of Proposition 201 Smoke-Free-Arizona Act. This amendment:

- 1) Amends the Scope of Services to change who the Environmental Services Department (ESD) educates with respect to the Smoke Free Arizona Act,
- 2) Amends the Tasks to change to whom ESD provides educational information about the Smoke Free Arizona Act,
- 3) Amends the Price sheet to exclude education of non-permitted locations, limit the quarterly maximum payment amount to \$225,000 and annual total payment to \$900,000.

Intergovernmental Agreement revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. This IGA was initially approved on May 16, 2007, amended on November 14, 2007 under C88070092. (C8808011200)

**Equipment Services**

**77. SALE AND OPERATING TRANSFER OF SURPLUS VEHICLES – APPROVED**

Approve the sale and operating transfer of two surplus vehicles from the County Attorney's Office currently funded by the General Fund in Non-Departmental (Dept 470 Fund 100) to Maricopa County Department of Transportation (Dept 640 Fund 232). This action requires an increase in the expenditure budget for the Department of Transportation (Dept 640 Fund 232) in the amount of \$4,140 and increases the revenue budgeted for Non-Departmental (Dept 470 Fund 100) in the amount of \$4,140 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Dept 980 Fund 900). This action also requires an increase in the expenditure budget for the Department of Transportation (Dept 640 Fund 232) in the amount of \$4,140 and increases the revenue budgeted for Non-Departmental (Fund 100) in the amount of \$4,140 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Fund 900). Approval of this action will benefit both departments and retain good quality used vehicles in the County fleet. This transaction will result in a County-wide net financial impact of zero. (C7408010M00) (ADM3104)

**78. EQUIPMENT SERVICES TOOL ALLOWANCE POLICY A2326 – APPROVED**

Approve the Equipment Services Tool Allowance Policy A2326. The purpose of this policy is to establish a Tool Allowance for Equipment Services' Technicians to assist in the maintenance of their required tools and to help attract and retain qualified employees. The policy will go into effect immediately upon approval of the Board of Supervisors. The first allowance will be granted for the quarter in which the policy is approved, payable in the first month of the following quarter. (C7408011M00) (ADM632)

**Planning and Development**

**79. AMEND ACTION REGARDING THE SALE AND OPERATING TRANSFER OF SURPLUS VEHICLES – APPROVED**

Amend the action taken on May 21, 2008 from:

Approve the sale and operating transfer of five surplus vehicles from Planning and Development Department – Fund (226) to Solid Waste Management Department – Fund (580) (four vehicles) and Parks and Recreation Department – Fund (100) (one vehicle). This action requires an increase in the expenditure budget for Solid Waste Management (Fund 580) in the amount of \$17,225 and increases the revenue budgeted for Planning and Development (Fund 226) in the amount of \$17,225 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Fund 900).

This transaction will not increase the County-wide budget as the transfer will be eliminated in the Eliminations Fund (Fund 900).

Approval of this action will benefit all three departments and retain good quality used vehicles in the County fleet.

**To:**

Approve the sale and operating transfer of five surplus vehicles from Planning and Development Department – Fund (226) to Solid Waste Management Department – Fund (580) (four vehicles) and Parks and Recreation Department – Fund (100) (one vehicle). This action requires an increase in the expenditure budget for Solid Waste Management (Fund 580) in the amount of \$17,225 and increases the revenue budgeted for Planning and Development (Fund 226) in the amount of \$17,225 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Fund 900). This action also requires an increase in the expenditure budget for Parks and Recreation Department (Department 470 Fund 100) in the amount of \$6,540 and increases the revenue budgeted for Planning and Development (Fund 226) in the amount of \$6,540 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Fund 900).

This transaction will not increase the County-wide budget as the transfers will be eliminated with an off setting revenue and expenditure adjustment to the Eliminations Department (Department 980) Eliminations Fund (Fund 900) in the amount of \$23,765.

Approval of this action will benefit all three departments and retain good quality used vehicles in the County fleet. (C4408014001) (ADM3104)

**80. HASSAYAMPA RANCH DEVELOPMENT AGREEMENT – APPROVED**

Approve a Development Agreement with **Hassayampa Ranch Ventures, LLC** and Maricopa County as required by stipulation “e” of the Development Master Plan case (DMP2005-007) for

Hassayampa Ranch previously approved January 2, 2007. As a condition of the DMP approval, the applicant is required to enter into a development agreement with Maricopa County to address potential short- and long-term fiscal impacts to Maricopa County. This agreement must be approved by the Board of Supervisors prior to approval of any zone change associated with the DMP. This agreement to be recorded as required pursuant to A.R.S. 11-1101. (Supervisory District 4) (C4408015000)

**81. SALE AND TRANSFER OF SURPLUS VEHICLE – APPROVED**

Approve the sale and operating transfer of one surplus vehicle from Planning and Development Department – Fund (226) to the Department of Transportation – Fund (232). This action requires an increase in the expenditure budget for the Department of Transportation (Fund 232) in the amount of \$4,495 and increasing the revenue budget for Planning and Development (Fund 226) in the amount of \$4,495 with offsetting expenditure and revenue eliminations in the Eliminations Fund (Fund 900). This transaction will not increase the County-wide budget as the transfer will be eliminated with an off setting revenue and expenditure adjustment to the Eliminations Department (Department 980) Eliminations Fund (Fund 900) in the amount of \$4,495. Approval of this action will benefit both departments and retain a good quality used vehicle in the County fleet. (C4408018000) (ADM3104)

**ASSISTANT COUNTY MANAGER – PUBLIC WORKS**

**Facilities Management**

**82. CHANGE ORDER TO CONTRACT WITH GILBANE BUILDING COMPANY – APPROVED**

Approve Change Order No. 1 in the amount of \$750,000 to Contract C7008022500 with Gilbane Building Company of Phoenix, Arizona, for additional design phase services of the Downtown Court Tower project to allow for the early selection of sub-contractors to participate in the design assistance process. (FMD Project #3325-07-380). Funds for this change order are within the approved budget. (Supervisory District 5) (C7008022502)

**Transportation**

**83. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

**84. APPLY AND ACCEPT FUNDS FROM MAG FIVE YEAR TRANSPORTATION IMPROVEMENT PROGRAM – APPROVED**

Authorize the Maricopa County Department of Transportation (MCDOT) to apply for \$291,725 in reimbursement funding from the Maricopa Association of Governments (MAG) Five Year (FY2008-2012) Transportation Improvement Program. If the award is made, authorize to accept the funds and approve the revenue and expenditure appropriation increase to the MCDOT Grant Fund (223) in the amount of \$231,725 for FY 2008-09 and \$60,000 for FY 2009-10. Grant Revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget



adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (Supervisory Districts 1, 2, 3, 4, and 5) (C6408209M00)

**85. IGA WITH THE CITY OF SURPRISE FOR IMPROVEMENTS TO UNION HILLS DRIVE FROM 115TH AVENUE TO PARADISE RV RESORT – APPROVED**

Approve the Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa Department of Transportation, (MCDOT) and the City of Surprise for improvements to Union Hills Drive from 115th Avenue to Paradise RV Resort (approximately 1,100 feet east of 111th Avenue) (Project). The estimated total cost of the Project is \$725,000. Surprise is providing \$625,000 and MCDOT is providing \$100,000 through the Transportation Advisory Board (TAB) Special Project Fund (SPF). (Supervisory District 4) (C6408219200)

**86. DEVELOPMENT AGREEMENT WITH HASSAYAMPA RANCH VENTURES, LLC – APPROVED**

Approve a Development Agreement between Hassayampa Ranch Ventures, LLC and Maricopa County as recommended in the Development Master Plan case for Hassayampa Ranch, DMP2005-007 as previously approved January 2, 2007, in stipulations *gg - 2 and gg - 3*. The Development Agreement details the specifics of construction, including phasing and timing. This agreement to be recorded as required pursuant to A.R.S. 11-1101. (Supervisory District 4) (C640822000)

**87. ACCEPT THE “HIGHWAY EXPANSION AND EXTENSION LOAN PROGRAM” (HELP) LOAN – APPROVED AS AMENDED (Conditional)**

Authorize Maricopa County’s Department of Transportation to accept the “Highway Expansion and Extension Loan Program” (HELP) loan from Arizona’s Department of Transportation (ADOT) in an amount of \$25,683,000 to purchase the right-of-way for two of MCDOT’s Transportation Improvement Program (TIP) projects: (Supervisory District 5) (C6408221100)

MC 85 from 107th Avenue to 91st Avenue (T112)  
MC 85 from 91st Avenue to 75th Avenue (T113)

**88. IGA WITH CITY OF PHOENIX FOR IMPROVEMENTS TO BASELINE ROAD FROM 49TH AVENUE TO 47TH AVENUE – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa Department of Transportation, (MCDOT) and the City of Phoenix for improvements to Baseline Road from 49th Avenue to 47th Avenue (Project). MCDOT is providing \$100,000 through the Transportation Advisory Board (TAB) Special Project Fund (SPF). (Supervisory District 5) (C6408222200)

**89. IGA WITH THE TOWN OF CAVE CREEK FOR INTERSECTION IMPROVEMENTS AT CAREFREE HIGHWAY AND CAVE CREEK ROAD – APPROVED**

Approve the Intergovernmental Agreement (IGA) between Maricopa County acting through the Maricopa County Department of Transportation and the Town of Cave Creek for intersection improvements at Carefree Highway and Cave Creek Road. The County will provide \$100,000 to the Town through the Transportation Advisory Board (TAB) Special Project Funds (SPF). (Supervisory District 2) (C6408223200)

**90. IGA WITH CITIES OF SCOTTSDALE AND PHOENIX FOR SIGNALIZATION OF THE INTERSECTION AT 56TH STREET AND DYNAMITE BLVD – APPROVED**

Approve the Intergovernmental Agreement (IGA) between Maricopa County through the Maricopa County Department of Transportation (MCDOT) and the Cities of Scottsdale and Phoenix (Cities) for the signalization of the intersection at 56th Street and Dynamite Boulevard, MCDOT Project Partnering (PSUP), Job Number T299. The City of Scottsdale will act as the lead for this project, with the County contributing 25% of the total project costs, but not to exceed \$25,000. Scottsdale will not invoice the County prior to July 1, 2008. FY 2008-09 expenditures are contingent upon the Board approving the recommended FY 2008-09 budget. (Supervisorial District 3 and 4) (C6408224200)

**91. AMENDMENT TO THE CURRENT FIVE-YEAR TRANSPORTATION IMPROVEMENT PROGRAM – APPROVED**

Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08) by **decreasing** (D) the capital budgets for the following projects:

Project Number	Name	Capital Budget
T001	TIP Development	\$150,000
T004	Warranted Traffic Improvement	\$150,000
T006	Unallocated Force Account	\$50,000
T012	General Civil Engineering	\$210,000
T039	PM 10: Box Bar and Needle Rock	\$450,000
T04	PM 10: (Ph 4) in SE Valley	\$50,000
T068	Ellsworth: Germann - Baseline	\$200,000
T070	Alma School Road McLellan - McKellips	\$75,000
T090	Power Road Guadalupe - Baseline	\$1,642,000
T098	Williams Field: Gilbert - Lindsay	\$50,000
T108	McDowell Mountain Shoulder Widening	\$50,000
T143	Power Road Elliot - Guadalupe	\$425,000
T144	Val Vista: Thomas - Southern	\$275,000
T188	Old US80 Bridge at Gila River	\$619,000
T200	Olive Ave at Beardsley Canal	\$90,000.
T204	AZTECH Smart Corridors – Phase II	\$75,000.
T216	Pinnacle Peak Road at 83rd Ave and 91st Ave	\$450,000
T223	Olive Ave at Reems Road	\$350,000
T233	Camino Del Sol at Spanish Gardens	\$200,000
T253	Rainbow Road Bridge at Buckeye Canal	\$30,000
T257	Olive Ave at 114th Ave	\$25,000
T259	Brown Road at Crismon Road	\$150,000
T261	Riggs Road at Sossaman Road	\$350,000
T262	Riggs Road at Power Road	\$325,000
T263	Broadway Road at 67th Ave	\$50,000
T274	NE Maintenance Yard	\$600,000

And, adjusting the following projects by **increasing (I)** the FY2007-2008 (Year 1) capital budget for:

Project Number	Name	Capital Budget
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T005	Candidate Assessment Reports	\$235,000
T011	ROW In-Fill Inventory	\$175,000
T025	Bell Road: SR 303 to L101 ITS Improvement	\$20,000
T047	PM 10: (PH 4) in the North Valley	\$25,000
T083	MC 85: Cotton Lane – Estrella Parkway	\$50,000
T103	El Mirage : Bell - Beardsley	\$62,500
T112	MC 85: 107th Ave – 91st Ave	\$100,000
T113	MC 85: 91st Ave – 75th Ave	\$75,000
T114	Chandler Heights Road Bridge at Sonoqui Wash	\$300,000
T120	Bell Road at R.H. Johnson	\$2,500
T126	Bush Hwy: Usery Pass – Stewart Mtn	\$45,000
T154	Bell Road SR303/Grand Ave (ITS)	\$15,000
T156	Chandler Heights Road at 124th St	\$90,000
T158	Lower Buckeye Road at 67th Ave	\$8,500
T167	El Mirage: Northern - Bell	\$10,000
T173	Sun City Mill and Overlay Phase II	\$1,650,000
T176	Low Volume Roads Program	\$575,000
T177	7th St: Carefree Hwy – Desert Hills	\$15,000
T178	Ellsworth Rd: Hunt Hwy – Riggs Road	\$195,000
T180	Cotton Lane Bridge at Gila River	\$750,000
T192	Rio Verde Dr: Forest – 136th St	\$45,000
T193	Desert Hills at Skunk Creek	\$5,000
T195	Northern Ave: SR 303 to Grand Ave	\$5,000
T219	Mingus at 25th Ave	\$25,000
T232	R.H. Johnson Blvd at Meeker Blvd	\$7,500
T238	Indian School Road Signal Modernization	\$110,000
T243	Gavilan Peak Pkwy: Cloud to Joy Ranch	\$1,675,000
T248	Deer Valley Road: El Mirage – Lake Pleasant Road	\$10,000
T251	Riggs Road Ellsworth - Meridian	\$55,000
T258	Del Webb Blvd at 99th Ave	\$30,000
T264	Union Hills Dr at 99th Ave	\$115,000
T266	Baseline Road at 67th Ave	\$55,000
T267	Carefree Hwy at 7th Street	\$350,000
T272	51st Ave at Pecos Road	\$75,000
T280	115th Ave and Happy Valley Road	\$30,000
T282	Olive Ave and 107th Ave	\$50,000
T283	Rittenhouse Road and Cloud Road	\$50,000

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero. (Supervisory District 1, 2, 3, 4, 5) (C6408225800) (ADM2000-003)

**92. IGA WITH THE CITY OF TOLLESON FOR IMPROVEMENTS TO 91ST AVENUE FROM I-10 TO VAN BUREN STREET – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa County Department of Transportation (MCDOT), and the City of Tolleson for improvements to 91st Avenue from I-10 to Van Buren Street to mitigate congestion and improve traffic and pedestrian safety (Project). The estimated total cost of the Project is \$6,300,000. Tolleson is providing \$5,700,000 and MCDOT is providing \$600,000 through the Transportation Advisory Board (TAB) Special Project Fund (SPF). (Supervisory District 5) (C6408229200)

**93. IGA WITH THE TOWN OF WICKENBURG FOR THE EXCHANGE OF SERVICES – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County, through the Maricopa Department of Transportation (MCDOT), and the Town of Wickenburg (Wickenburg) for the exchange of services (Entente Agreement). (Supervisory District 4) (C6408230200)

**94. IGA WITH THE TOWN OF GILBERT FOR INTERSECTION IMPROVEMENTS AT THE POWER/PECOS ROAD AND UNION PACIFIC RAILROAD IMPROVEMENTS – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County acting through the Maricopa County Department of Transportation and the Town of Gilbert for intersection improvements at the Power/Pecos Road and Union Pacific Railroad (UPRR) Improvements. The County will provide \$400,000 to Gilbert through the Transportation Advisory Board (TAB) Special Project Funds (SPF) TT003. (Supervisory District 1) (C6408232200)

**95. IGA WITH THE CITY OF CHANDLER FOR IMPROVEMENTS TO MCQUEEN ROAD FROM RIGGS ROAD TO QUEEN CREEK ROAD – APPROVED**

Approve an Intergovernmental Agreement (IGA) between Maricopa County acting through the Maricopa County Department of Transportation and the City of Chandler for improvements to McQueen Road from Riggs Road to Queen Creek Road. The County will provide \$100,000 to the City through the Transportation Advisory Board (TAB) Special Project Funds (SPF) TT003. (Supervisory District 1) (C6408233200)

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

**96. APPOINTMENTS – APPROVED**

- a. **Employees' Suggestion Merit Award Board** – Accept the resignation of **Chuck Bryan** and Appoint **Bruce Bartholomew**, serving at the pleasure of Supervisory District (3). (C0608099900) (ADM333-001)
- b. **Community Development Advisory Committee (CDAC)** – Appoint/Reappoint the following members to serve a one-year term from July 1, 2008 thru June 30, 2009: (C1709043900) (ADM1501-001)

<b>Community</b>	<b>Primary</b>	<b>Alternate</b>	
Buckeye	Robert Doster	Dave Rioux	Reappoint
El Mirage	Adam Super	Michele Kern	Reappoint
Goodyear	Frank Cavalier	Joanne Osborne	Reappoint
Tolleson	Jose Diego Espinoza	Adolfo Gamez	Reappoint
Wickenburg	John Zerby	Ron Badowski	Reappoint
Youngtown	Shirley Oglesby	Michael LeVault	Reappoint
Guadalupe	Roy Perez	Rebecca Jimenez	Appoint

- c. **Ryan White Planning Council** – Appoint **Jared Vega**, representing the General Public, and **David Aguirre**, representing Institutional Member Concilio Latino de Salud, for a

three year term from July 1, 2008 through June 30, 2011. (C2008059000) (ADM2153-001)

- d. **Ryan White Planning Council** – Approve the resignations of the following individuals effective June 1, 2008: (C2008059000) (ADM2153-001)

Individual	Representing
Eric Ciolina	General Public Member
John Hasna	General Public Member
Cheryl Weiner	General Public Member
Kelli Houston	General Public Member

- e. **Maricopa Workforce Connections** – Reappoint **Don Smith** representing community based organization, whose term is effective from July 1, 2008 through June 30, 2010. Accept the resignations of **Annette Stein** representing a mandated partner and **Richmond Vincent** representing private industry effective June 30, 2008. (C2209074900) (ADM2512-001)
- f. **Citizen's Audit Advisory Committee** – Accept the resignation of **Richard Lozar** and appoint **George Diaz, Sr.** as nominated by Supervisorial District 5. Mr. Diaz will fill the unexpired term effective as of the date of Board approval through May 14, 2009. (ADM2602)
- g. **Aggregate Mining Operations Zoning District #1 Recommendation Committee** – Approve the appointment of the following private citizens who will serve as alternates:
- o **Lyle Tuttle**
  - o **Sam Baldwin**
  - o **Richard P. Hanson**

Alternate members serve until they are replaced by requested action of the group they are representing. (ADM3441-001)

**97. INDUSTRIAL DEVELOPMENT AUTHORITY – APPROVED**

Adopt the following captioned resolution, on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with Arizona State Libraries, Archives, and Public Records (ASLAPR). This item is being considered by the Board solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued. (C1808056A00) (ADM4792)

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Industrial Development Revenue Bonds (Habitat for Humanity, Valley of the Sun Project) Series 2008, to be issued in one or more series in an amount not to exceed \$2,000,000 aggregate principal amount.

**98. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS – APPROVED**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School

District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Superior Court**

#### **99. TRIAL COURTS ESTABLISH AND INCREASE SELF SERVICE CENTER FEES – APPROVED**

Pursuant to ARS §11-251.08, set a public hearing for Wednesday, July 23, 2008 to authorize and approve the Trial Courts in Maricopa County to establish and increase Self Service Center Fees. The proposed fee will be attributable to and defray or cover the expense of providing the service for which the fee is assessed. This fee increase and newly established fees will not exceed the actual cost of the product or service being provided by the Self Service Centers within the Superior and Justice Courts. The Proposed fees are as follows: Increase of the Self-Service Center packets from \$4.00 to \$5.00 per process step; Postage prepaid manila Envelopes - \$2.00 per envelope; Postage and Handling fee - \$5; Pens - \$ .10 per pen; and Documents printed from the Superior Court eCourt application at Self-Service Center locations - \$ .10 per page. Upon Board approval pursuant to A.R.S. §11-251.08, the Self-Service Center will be authorized to charge these fees. The fees are deposited by the Clerk of the Court into a Special Revenue Fund (Fund 259) with the Maricopa County Treasurer for disbursement by the presiding Judge with expenditures subject to appropriation by the Board of Supervisors. The fees are effective upon Board approval. (C3808024800) (ADM1005)

## **CONSENT AGENDA**

### **Clerk of the Board**

- 100. ASRS Claims –** Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001) – **APPROVED**
- 101. Arizona Meth Project Donations –** Authorize the acceptance of cash donations and in-kind contributions received for the month of May 2008, for the purpose of the Arizona Meth Project. Donation funds are not local revenues for the purpose of the constitutional expenditure



limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) – **APPROVED**

102. **Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300) – **APPROVED**
103. **Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723) – **APPROVED**
104. **Donations** – Accept the donation reports received from county departments for May 2008 Year as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810) – **APPROVED**
105. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809) – **APPROVED**
106. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701) – **APPROVED**
107. **Secured Tax Roll Corrections** – Approve requests from the Assessor for correction of the Secured Tax Roll Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705) – **APPROVED**
108. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated June 18, 2008. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704) – **APPROVED**
109. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816) – **APPROVED**
110. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708) – **APPROVED**

## **IMPROVEMENT DISTRICT AGENDA**

**ID-1. DISTRICT BOUNDARY OF THE LIBERTY PARK IMPROVEMENT DISTRICT FOR DOMESTIC WATER SERVICES – APPROVED**

Pursuant to A.R.S. § 48-906 (E), receive the petition representing 100% of the property owners of Liberty Park, LLC requesting the alteration of the boundary for the Liberty Park Improvement District to provide domestic water services to the Liberty Park Development. This request will remove approximately 25 acres of property that will not be served and add into the district approximately 5 acres of adjacent property that will be included as part of the subdivision development. All property involved in this modification is owned by the developer.

Upon finding that the inclusion of the property will benefit the district and the property owner, the Board of Directors hereby orders the request for alteration and inclusion to the boundaries of the district. This order is final upon recording and shall include a legal description of the property as altered by this action.

The district was established December 15, 2007, and is located in the vicinity of Jackrabbit Trail and MC85. (Supervisory District 4) (C6408231000) (ADM4302)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**FCD-2. ADJUSTMENTS TO THE CAPITAL IMPROVEMENT PROGRAM – APPROVED**

Approve the following adjustments to the Flood Control District of Maricopa County (District) (690) FY 2008-2012 five-year Capital Improvement Program (CIP), which result in a net change of \$0: (C6908061800) (ADM1900-003)

**Decrease** Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

- o F343 – Wickenburg ADMP by \$200,000

**Increase** Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

- o F470 – White Tanks ADMP by \$200,000

**FCD-3. ACCEPTANCE OF TRANSFER AND CONVEYANCE OF REAL PROPERTIES – APPROVED**

Approve the acceptance of transfer and conveyance of real properties, identified as Assessor's parcel numbers 500-28-003C, 500-28-003D, 500-26-001D and 500-41-001, located at the Agua

Fria River and MC-85 (Buckeye Road), from Maricopa County, at no cost to the County or the Flood Control District, and authorize the Board to execute all necessary documents approved by the Deputy County Attorney to complete the transfer and conveyance (Maricopa County Agenda Item Control Number C1808053B00). (C6908062B00) (ADM1903-003)

**FCD-4. RESOLUTION TO NEGOTIATE AND PREPARE IGA WITH THE NATURAL RESOURCES CONSERVATION SERVICE – APPROVED**

Adopt Resolution FCD2008R005, authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County to negotiate and prepare Intergovernmental Agreements (IGAs) with the Natural Resources Conservation Service (NRCS) and others, as necessary, for the coordination and cost sharing of the design, right-of-way acquisition, construction and construction management of the White Tanks Flood Retarding Structure (FRS) No. 4 Rehabilitation Project. (C6908065600)

**LIBRARY DISTRICT AGENDA**

**LD-1. DONATIONS – APPROVED**

Accept the donation reports received for May 2008 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)

**LD-2. PUBLIC HEARING FOR REVISED FINES AND FEES SCHEDULE FOR THE LIBRARY DISTRICT – APPROVED AS AMENDED**

Convene the scheduled public hearing to consider implementation of a revised Fines and Fees Schedule for the Library District to be effective 30 days after approval by the Library District Board of Directors. The Board of Directors will consider the following increases as recommended by District staff and the Citizens Advisory Committee (CAC):

**Staff Recommendations:**

Non-Resident Fee from \$40 to \$45  
Interlibrary Loans from \$2 per request to \$5 per request  
Items put on hold and not picked up from zero to \$1 per item

**CAC Recommendations:**

Non-Resident Fee from \$40 to \$50  
Interlibrary Loans from \$2 per request to \$5 per request for the first 3 requests and \$20 per request thereafter on an annual basis  
Items put on hold and not picked up from zero to \$2 per item

All other fines and fees remain unchanged. (C6508039M00) (ADM2802)

**STADIUM DISTRICT AGENDA**

**SD-1. BUDGET ADJUSTMENTS – APPROVED**

Due to the level of Car Rental Surcharge Revenue received by the Stadium District the transfer to the Arizona Sports and Tourism Authority will be larger than originally budgeted; therefore, good

cause is found under A.R.S. §48-4232 (B) to take the following actions amending the FY 2008 budget.

- Approve an increase in the transfers out budget in Fund 370 in the amount of \$957,000 and the transfers in budget in Fund 250 in the amount of \$957,000. This will result in an increase in the amount of \$957,000 to the expenditure budget for the Stadium District (680) Debt Series 02 Fund (370) and an increase in the amount of \$957,000 to the revenue budget for the Stadium District (680) Cactus League Operations Fund (250). The above transactions will be offset with corresponding adjustments to Stadium District (680) Eliminations Fund (900).
- Approve an increase in the expenditure authority in the Stadium District (680) Cactus League Operations Fund (250) of \$957,000. The action will adjust the District budget to reflect the transfer of the remaining Cactus League monies after debt payments, reserves, and operations to the Arizona Sports and Tourism Authority under the intergovernmental agreement approved on August 27, 2003. (C6808013800) (ADM5500-003)

**SD-2. DONATION – APPROVED**

Accept the donation by **Northwind Phoenix LLC** of one, and possibly two, additional cooling towers to be added to the cooling equipment at Chase Field in order to enhance the cooling capacity of the ballpark cooling equipment as set forth in the letter from Northwind Vice President and General Manager, James Lodge, dated May 12, 2008. Pursuant to the Chilled Water Service Agreement dated June 21, 2000, Northwind will be responsible for all maintenance and repair of these additional cooling towers. The additional equipment will be reflected in an updated Exhibit B to the Chilled Water Services Agreement. The estimated value of each cooling tower is \$350,000. (C6808015M00) (ADM5500-006)

**SD-3. SALE OF CHAIRS AND SONY TVS DECLARED AS SURPLUS PROPERTY – APPROVED**

Authorize the sale of 50 chairs and 50 Sony TVs declared as surplus property in Agenda C-68-08-005-M-00, to the Human Services Campus, LLC, a charitable non-profit corporation for the sum of \$1.00, to be used for the specific purposes of the corporation, in accordance with the District Procurement Code Section MCI-803(E). **THIS ACTION REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** (C6808014M00) (ADM5500-002)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

111. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605) – **NO ACTION**
112. Supervisors'/County Manager's summary of current events. (ADM606) – **NO ACTION**

\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\*

Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred.  
New evidence is not considered at these hearings.

## **CODE ENFORCEMENT REVIEW**

- PZ-1. Patrocinio Mendez** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2003-01305, **Patrocinio Mendez**. (Supervisory District 5) (ADM3417-059) – **CONTINUED TO 9/15**
- PZ-2. Charles Prescott** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2007-01529, **Charles Prescott**. (Supervisory District 5) (ADM3417-062) – **CONTINUED TO 9/15**

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***

## **PLANNING AND ZONING AGENDA**

### **REGULAR AGENDA:** **(Detailed below)**

1. DMP200-7004, Major Amendment to the Desert Whisper Development Master Plan, northwest corner of 363rd Avenue and Indian School Road (in Tonopah area) (District 5) – **APPROVED AS AMENDED**
2. DMP2007-009, Major Amendment to the Belmont Development Master Plan (DMP) as a protected development right plan, north of McDowell Road alignment, south of Central Arizona Project Canal, west of Hassayampa River, and east of Wintersburg Road alignment (in west-central Maricopa County) (District 4 & 5) – **APPROVED AS AMENDED**
3. CPA2008-04, Comprehensive Plan Amendment to adopt the Carefree Highway Scenic Corridor Study, ¼ mi. north and south of Carefree Highway between 7th Avenue and 28th Street alignment (in north-central Maricopa County) (District 3) – **APPROVED WITH PORTIONS REMANDED TO PLANNING AND ZONING COMMISSION**
4. Z2007-133, Precise Plan of Development for an off-site advertising sign (billboard) in the Ind-2 zoning district, southwest corner of Northern Avenue and State Route 303 (in the west Glendale area) (District 4) – **APPROVED**
5. Z2007-135, Special Use Permit (SUP) for a self-storage and RV/boat storage facility in the C-2 and Ind-2 zoning districts, west of Arizona Avenue and south of Riggs Road (in the Chandler area) (District 1) – **APPROVED AS AMENDED**
6. Z2008-005, Zone Change from Rural-43 to Rural-43 PAD, R1-6 PAD, R-2 PAD, R-3 PAD, C-S PAD, C-O PAD, C-1 PAD, and C-2 PAD, North of Indian School Road alignment, south of Bethany Home Road alignment, west of 323rd Avenue alignment, and east of 343rd Avenue alignment (in the Tonopah / Buckeye area) (District 4) – **APPROVED**

7. S2007-058, Replat in the R1-35 zoning district, located at the northeast corner of Crismon Road and Brown Road (in the Mesa area) (District 2) – **APPROVED**

**REGULAR AGENDA DETAIL:**

1. **DMP2007-004** District 5

Applicant: Beus Gilbert, PLLC for DB-Desert Whisper Investments, LLC  
Location: Northwest corner of 363rd Avenue and Indian School Road (in Tonopah area)  
Request: Major Amendment to the Desert Whisper Development Master Plan (approximately 961 acres) – Desert Whisper

**COMMISSION ACTION:** Commissioner Johnson moved to recommend approval of DMP2007-004, subject to stipulations “a’ through “bb”. Commissioner Jones seconded the motion, which passed with a vote of 6-1. Commissioner Aster voted no.

- a. Development shall comply with the Development Master Plan document entitled “Desert Whisper Development Master Plan”, a bound document, dated January 30, 2008 and stamped received April 28, 2008, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Changes to the Desert Whisper Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Desert Whisper Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
- c. If the initial final plat has not been approved within four (4) years from the date of Board of Supervisors approval, this development master plan will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider revocation of the adopted development master plan. Further, should this development master plan be rescinded, all zoning and other entitlement changes approved as part of the Desert Whisper Development Master Plan shall also be considered for reversion by the Board of Supervisors, upon recommendation of the Commission, to the previous entitlements.
- d. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s), approved by the Board of Supervisors and provided to the Maricopa County Planning and Development Department for public record.
- e. The master developer shall be responsible for the construction of all public and private on-site roads within the Desert Whisper Development Master Plan. Further, the Desert Whisper homeowners association shall be responsible for the maintenance and upkeep



of all private roads, public open spaces and facilities, washes, parks, roadway median landscaping, landscaping with public rights-of-way, and all pedestrian, bicycle, and multi-use paths.

- f. Prior to approval of each final plat, the master developer shall submit to the Maricopa County Planning and Development Department a landscape inventory and salvage plan which identifies and assesses the native vegetation within the development parcels, and which determines the preservation/disposition for each of the selected native vegetation.
- g. Landscaping of all common areas and open spaces, except for identified recreational areas, within Desert Whisper shall consist of indigenous and near-native plant species of a xeriphytic nature.
- h. All irrigation water supplied for common/open space areas and/or lakes shall be provided entirely by a renewable supply of water, such as treated effluent, surface water, or Central Arizona Project (CAP) water, within five (5) years after issuance of the first building permit. Interim water for the purposes noted may be supplied by groundwater and shall comply with all Arizona Department of Water Resources regulations. Proof of conversion from groundwater to a renewable water supply shall be provided to the Maricopa County Planning and Development Department within the five year requirement.
- i. The Desert Whisper Development Master Plan shall be developed sequentially as depicted on the phasing diagram contained in the Desert Whisper Development Master Plan narrative report.
- j. The total number of residential dwelling units for the Desert Whisper Development Master Plan shall not exceed 2,943 dwelling units. To help ensure compliance, the cumulative number of dwelling units completed to date, in relation to the identified limit, shall be identified on all plats.
- k. The master developer shall submit a written report to the Maricopa County Planning and Zoning Commission outlining the status of the Desert Whisper Development Master Plan every three years following Board of Supervisors approval. The status report shall discuss development progress, including the total number of units built and platted, locations of areas/parcels under construction, status of infrastructure development, status of non-residential property, progress on how the stipulations of approval are being implemented, and any other information as requested by the Maricopa County Planning and Development Department.
- l. The master developer shall notify all future Desert Whisper Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8-½ by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).
- m. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown. Park facilities and amenities shall be identified on all applicable plats, and are subject to review by the Maricopa County Planning and Development Department.

- n. Not less than 36 acres shall be reserved for Recreational Open Space (ROS) land use. Further, the project shall have not less than two (2) park sites as depicted on the land use plan. Further, not less than thirteen (13) pocket parks at least one (1) acre size each shall be provided. All parks shall include recreational amenities. At the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative ROS acreage and park numbers with respect to the requirements of this stipulation. A description of the types of recreational amenities that will be included in the ROS and mini-park areas shall also be submitted with all preliminary plats to the Maricopa County Planning and Development Department.
- o. Unless otherwise agreed to in writing by the applicable school districts, not less than one (1) school site and a minimum of 17 acres shall be reserved for a school at the site identified on the Desert Whisper land use plan. Said school shall not front on to arterial streets.
- p. The master developer shall provide major multi-use trails and minor pathways/trail connections as depicted on Figure 12 of the Desert Whisper Development Master Plan. Such trails and minor pathways/trail connections shall be identified on all plats and are subject to approval by Maricopa County.
- q. At the time each residential building permit is issued, a quality of life assessment of \$596.00 will be made available to the Maricopa County Library District for the purposes of future library service and infrastructure needs.
- r. Prior to approval of the first preliminary plat or first Approval to Construct (whichever comes first), Final Water and Sewer Master Plans must be submitted, under application and fee, for the onsite water and sewer infrastructure to MCESD for approval. Approval of these final master plans will be required before any Final Plats will be approved by MCESD.
- s. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.
- t. The following Maricopa County Drainage Review stipulations shall apply:
  - 1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction. No variance from the Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP.
  - 2. Drainage review of planning, zoning and/or Development Master Plan cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with Drainage Regulation and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect the existing and proposed development conditions.
  - 3. Hydrology analysis for this development is dependent on the conditions of upstream area around Central Arizona Project. All flow data from this study will not be approved until FEMA approves the condition around the Central Arizona

Project. Hydrology analysis will need to be re-done if FEMA approval is not granted.

u. The following Maricopa County Department of Transportation stipulations shall apply:

1. The Applicant/Developer shall provide a Traffic Impact Study (TIS). The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS shall be updated prior to the first final plat approval and with each development phase to reflect current conditions and any changes to the development plan. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS. The Applicant must provide an updated TIS prior to rezoning.
2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may choose to construct off-site street improvements in lieu of payment of this contribution. Such off-site street improvements must be "system roadways," must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT may require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer chooses not to construct off-site regional roadway improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
3. If required per item 2 above, a Development Agreement shall be executed prior to any zoning approval. The Development Agreement shall be an enforceable contract, regardless of annexation.
4. The Applicant/Developer shall provide the ultimate full or half-width of right-of-way for all public roadways as follows:
  - A.) Bethany Home Road: 65 feet (entire north boundary of project.)
  - B.) Camelback Road: 70 feet and 140 feet with 30 feet of landscape/roadway/utility easement on each side.
  - C.) Indian School Road: 65 Feet.
  - D.) 371st Avenue: 65 Feet.
  - E.) 363rd Avenue: 65 Feet

The above references interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where "half" of the roadway is within the development (perimeter roadways).

At intersections where future dual left turn lanes are possible, right-of-way shall be increased at the intersection to 150-feet for arterials and 220-feet for parkways. This widened right-of-way section shall accommodate dual left turn lengths (including reverse curves.)

5. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. A portion of these improvements may be creditable to the Developer's contribution referred to in item 2. All roadways must meet county standards in effect at the time they are improved. Half-width roadways must be designed so as to safely carry two-way traffic until the ultimate roadway is constructed.
  6. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Developer's contribution referred to in item 2.
  7. The Developer shall provide all-weather access to all parcels and lots, including an all weather access from I-10.
  8. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
  9. The Developer shall not locate elementary or middle schools on arterial roads.
  10. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site (i.e., bus bays, electric vehicles, shared accommodations, internal trail systems, etc.)
  11. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public rights-of-way, a Street Light Improvement District (SLID) or comparable authority shall be established to provide operation and maintenance. The Developer should contact the Office of the Superintendent of Streets (602-506-8797) to initiate the SLID process.
  12. The Developer shall design landscaping to comply with all MCDOT requirements and to conform to Chapter 9 of the MCDOT Roadway Design Manual. The Developer (or as assigned to the Home Owner's Association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
  13. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
  14. The Developer shall comply with all applicable local, state and federal requirements. (Dust control, noise mitigation, AZPDES, 404 permitting, etc.)
- v. The following Flood Control District of Maricopa County stipulation shall apply:
1. Prior to approval of any development in the Palo Verde Zone "A" delineation floodplains through the DMP limits, a detailed floodplain study must be completed and submitted to the Flood Control District for approval. The study will then be submitted to the Federal Emergency Management Agency for the Conditional Letter of Map Revision (CLOMR)/Letter of Map Revision (LOMR) process.
- w. The following Maricopa County Department of Emergency Management stipulation shall apply:

1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer's cost, in order to provide adequate warning for the residents of that development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.
- x. The following Luke Air Force Base stipulation shall apply:
  1. The master developer shall notify future residents that they are located within the vicinity of a military training route with the following notification:

"You are buying a home or property within the vicinity of a military training route, and may be subject to direct overflights and noise by Luke Air Force Base and other military jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flights per year, at an average of approximately 170 over flights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range, and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 A.M. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends."

Such notification shall be permanently posted in front of all home sales offices on not less than a 3 foot by 5 foot sign, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all covenants, conditions, and restrictions (CC&Rs) and be included in the public report.
- y. Prior to any zoning change, the applicant shall submit to the Maricopa County Planning and Development a "will serve" letter and an approved Certificate of Convenience and Necessity (CC&N) from the Water Utility of Greater Tonopah which demonstrates a willingness and capability to serve the entire Desert Whisper Development Master Plan.
- z. Prior to any zoning change, the applicant shall submit to the Maricopa County Planning and Development Department a "will serve" letter and verification of approval of a Maricopa Association of Governments (MAG 208) amendment from Balterra Sewer Corporation which demonstrates a willingness and capability to serve the entire Desert Whisper Development Master Plan.
- aa. The Desert Whisper Development Master Plan is not a protected development right plan.

- bb. At the time each residential building permit is issued, two-hundred fifty dollars (\$250) per residential unit will be paid by the developer to a park enhancement fund for trails and facilities enhancement and maintenance. The county shall deposit and hold all receipts in the parks special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by desert whisper residents. Details regarding this assessment are to be addressed in the development agreement.

2. **DMP2007-009** Districts 4 & 5

Applicant: Beus Gilbert, PLLC for LKY Development  
Location: North of McDowell Road alignment, south of Central Arizona Project Canal, west of Hassayampa River, and east of Wintersburg Road alignment (in west-central Maricopa County)  
Request: Major Amendment to the Belmont Development Master Plan as a protected development right plan (approximately 24,800 acres site) – Belmont

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of DMP2007-009, subject to stipulations “a” through “ww”. Commissioner Bowers seconded the motion, which passed with a majority vote of 4-2-1, with Commissioner Jones abstaining.

Commissioner Jones – abstained

Commissioner Pugmire - yes	Commissioner Aster - no
Commissioner Barney - yes	Chairman Smith - no
Commissioner Makula - yes	
Commissioner Bowers - yes	

[Note: This case was heard at the 5/8/08 Commission hearing and then continued from the 6/4/08 BOS hearing to the 6/18/08 BOS hearing per the applicant's request.]

- a. Development to be in accordance with the Narrative entitled “Belmont Development Master Plan” dated revised April 2008 and stamped received April 18, 2008, except as modified by the following stipulations.
- b. Changes to the Belmont Development Master Plan with regard to use and intensity, or the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation of the Commission. Revised applications shall be in accordance with the applicable development master plan guidelines, zoning ordinance, and subdivision regulations in effect at the time of amendment application. The Maricopa County Planning and Development Department may administratively approve minor changes to the Belmont Development Master Plan as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Belmont Development Master Plan, including narrative report, maps, exhibits, or approved stipulations, constitutes a violation in accordance with the Maricopa County Zoning Ordinance.
- c. A change in the total number of residential dwelling units within an overall village of up to 10% may be approved administratively by the Maricopa County Planning and Development Department. Any changes greater than 10% in the number of residential dwelling units within an overall village will require a major amendment subject to approval



by the Board of Supervisors, upon recommendation by the Planning and Zoning Commission.

- d. Domestic water shall meet Safe Drinking Water Act requirements.
- e. Roadside interceptor channels to be located outside roadway right-of-way within appropriate easements and provisions made or requirements maintenance.
- f. The master developer shall make arrangements for completion of all necessary fire stations concurrent with development in the applicable service area. Compliance shall be documented by the fire district/service provider and filed with Maricopa County.
- g. The fence along the Central Arizona Project Canal shall not be removed unless written approval is granted by the Central Arizona Water Conservation District (CAWCD).
- h. The master developer shall submit a written report to the Commission outlining the status of this development every five (5) years following approval of this request by the Board of Supervisors. The status report shall include location of approved rezoning, location of developed parcels, location of parcels under construction, location of parcels sold to other developers, status of infrastructure development, current project density using both constructed and approved dwelling units, locations of any amendments made to the Master Plan, status and ratio of non-residential property, and any other information as requested by Maricopa County unless or until a development agreement between the master developer and Maricopa County is completed and signed by both parties.
- i. The Belmont Development Master Plan is subject to all Maricopa County standards and regulations in effect at the time of zoning and platting unless modified by the adopted development agreement.
- j. All future rezoning applications for non-residential development will require a Planned Development (P.D.) overlay.
- k. The master developer shall be responsible for the installation of all major elements of infrastructure in accordance with Maricopa County standards in effect at the time of platting or as outlined in the development agreement.

**l. MITIGATION FOR SHORT TERM AIR QUALITY IMPACTS**

The following mitigation measures will be implemented during construction to reduce short-term air quality impacts of the project:

- 1. Master developer shall obtain an approved earth-moving permit from the Maricopa County Air Quality Department.
- 2. All installation permits, operating permits, earth moving equipment permits and other permits required by law will be duly obtained and the requirement thereof will be satisfied. Proof of compliance with this stipulation shall be provided to the Maricopa County Planning and Development Department as the permits are obtained.

**MITIGATION FOR LONG TERM LOCAL AIR QUALITY IMPACTS**

The Master Developer agrees to implement the following transportation demand and system measures to reduce vehicle miles traveled within the Belmont Area:

1. The master developer shall provide neighborhood access to commercial and, where feasible, industrial areas via open space, pedestrian paths, bicycle paths, or other non-arterial street connections. Such access shall be specifically identified on all plats and precise plans of development.
2. Employers will be encouraged to provide bicycle storage, locker and shower facilities for employees. Applications for precise plans of development shall identify such facilities.

#### MITIGATION MEASURES FOR LONG TERM REGIONAL AIR QUALITY IMPACTS

The Master Developer agrees to implement the following transportation demand measures to reduce air emissions from trips and vehicle miles traveled between the project area and other regional destinations.

1. The Belmont master developer shall be responsible for providing transit and alternative transportation information to residents via an annual newsletter or equivalent method approved by the Maricopa County Planning and Development Department. Copies of such information shall be provided to the Maricopa County Planning and Development Department.
2. The Master Developer will provide a Park and Ride lot system to coincide with the phasing of development at Belmont utilizing the Multi-Use Centers and other appropriate locations throughout Belmont. Park and ride lots, bus terminals, and other mass transit facilities shall be identified on all precise plans of development and plats.
3. Each industrial and non-retail employment development providing over 50 parking spaces will assign at least 15 percent of the spaces to priority parking for car pools. Such spaces shall be identified on all precise plans of development.

#### IMPLEMENTATION OF AIR QUALITY MITIGATION MEASURES

1. At the time the individual parcels of the Belmont Development Master Plan are submitted for rezoning and/or subdivision approval, the master developer shall be required to specify in detail how the above referenced air quality mitigation measures will be implemented and enforced in conjunction with the Project seeking the zoning and/or subdivision approval.
  2. The Maricopa County Air Quality Department shall be notified in conjunction with each request for zoning and/or subdivision approval and provided an opportunity to review and comment on the implementation of the specific air quality mitigation measures submitted in conjunction with the Belmont Master Plan approval and referenced herein.
- m. Prior to approval of initial rezoning, the master developer shall enter into a development agreement with Maricopa County. Further, prior to any rezoning approval this development agreement shall be signed by both the master developer and the designated Maricopa County representatives, approved by the Board of Supervisors, and

provided to the Maricopa County Planning and Development Department for public record.

- n. The initial final plat for phase one (1) shall be approved within four (4) years of Board of Supervisors approval of this amendment request. If the initial final plat has not occurred within this timeframe, the Belmont Development Master Plan shall be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation from the Maricopa County Planning and Zoning Commission, for possible revocation of this development master plan. If revoked, future action regarding the Belmont Development Master Plan would then require application for a new development master plan and would be subject to Board of Supervisors approval. Further, should this development master plan be rescinded, all zoning and other entitlement changes approved as part of the Belmont Development Master Plan shall also be considered for revocation by the Board of Supervisors, upon recommendation by the Commission, to the previous entitlements.
- o. If required by the Arizona Department of Water Resources, prior to approval of any rezoning the master developer shall update the preliminary groundwater resources evaluation study dated October 1989. Among other items, the updated study should examine expected aquifer production capabilities, impacts to adjoining aquifers, aquifer replenishment, and an analysis of the cumulative impacts of water withdrawal on the surrounding region. The study shall be approved by the Arizona Department of Water Resources. Maricopa County may require changes consistent with the recommendations by the Arizona Department of Water Resources, but may not require any changes beyond the water resource related recommendations made by the Arizona Department of Water Resources.
- p. Prior to approval of the first requested entitlement for each village, a revised water and sewer master plan addenda report, under application and fee appropriate at the time, must be submitted to the Maricopa County Environmental Services Department for review and approval. These addenda reports must be submitted and approved prior to submittal of the water and sewer infrastructure plans to the Maricopa County Environmental Services Department for issuance of approvals to construct.
- q. Concurrent with each preliminary plat and precise plan application, the master developer shall provide documentation as to how the preliminary plat and precise plan complies with the Maricopa County Bicycle Transportation Plan.
- r. Concurrent with each preliminary plat and precise plan application, the master developer shall provide documentation as to how the preliminary plat and precise plan complies with the Maricopa Regional Trail Plan.
- s. Prior to approval of any rezoning, and if required by the Maricopa County Environmental Services Department, a Maricopa Association of Governments (MAG) Air Quality Conformity Analysis shall be completed by the applicant and analyzed by MAG and Maricopa County to determine regional impacts and any necessary mitigation measures. Based on the results, Maricopa County and the master developer will address any necessary mitigation measures. Any mitigation measures taken will not affect approved densities for the Belmont Development Master Plan.
- t. Prior to approval of any rezoning, an archaeological survey of the Belmont Development Master Plan property shall be conducted to locate and evaluate any existing cultural resources that may be present. Once the survey has been completed, a copy of the report shall be provided to the Arizona State Historic Preservation Office for review and

comment. If historic or significant sites are identified within the project area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for inclusion in the National or State Register of Historic Places. If Register-eligible properties cannot be avoided by development activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. If federal permit(s) are required for any development, then any archaeological work performed must meet the Secretary of Interior's standards.

- u. If requested by the Arizona Game and Fish Department, prior to approval of initial rezoning the master developer shall work with the Arizona Game and Fish Department to help quantify potential impacts to wildlife in the Belmont Development Master Plan region, and work with the Arizona Game and Fish Department to develop a mitigation plan to offset potential adverse impacts to wildlife resulting from the proposed development. This mitigation plan shall be provided to the Maricopa County Planning and Development Department for public record, and all rezonings must demonstrate conformance with the approved mitigation plan unless deemed redundant due to the 404 permitting process.
- v. The master developer shall notify all future Belmont Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by or be able to petition a citizen-elected municipal government. Further, residents will not have access to municipally managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be published on all final plats, be included in all home sales material, and be included in all homeowners association covenants, conditions, and restrictions (CC&Rs).
- w. Unless otherwise agreed to in writing by the applicable school district(s), not less than twenty-one (21) K-8 schools and three (3) high schools, totaling 467 acres, shall be reserved for schools in the locations and of the sizes identified on the Belmont land use plan. To help ensure compliance, at the time of each preliminary plat submittal the master developer shall include a description of the status of the required number and type of schools, and acreage referenced in this stipulation. Elementary schools are prohibited from fronting on to arterial streets.
- x. The total number of residential dwelling units shall not exceed 78,370 residential units. To help ensure compliance, the cumulative number of dwelling units built to that point shall be identified on all plats.
- y. Not less than 878 acres shall be reserved for recreational open space as depicted on the Belmont land use plan. To help ensure compliance, the total acres of each of these land uses shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall submit a description of the status of the cumulative land use acreage with respect to the minimum acreage requirement with respect to the minimum requirement outlined in this stipulation.
- z. Not less than 2,500 acres shall be reserved for dedicated/non-developable open space as depicted on the Belmont land use plan. To help ensure compliance, the total acres of such land use shall be included on all plats. In addition, at the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative natural open space acreage with respect to the minimum requirement of this stipulation.
- aa. Not less than 300 acres of mini-parks, ranging in size from ½ acre to 1 acre, shall be reserved within the Belmont Development Master Plan. To help ensure compliance, the

cumulative number of parks and acres completed to that point with respect to the minimum requirement of this stipulation shall be identified on all plats.

- bb. All park and recreation facilities shall be completed concurrent with development in the applicable service area. Park facilities shall be identified on all applicable plats, and park amenities will be subject to review by the Maricopa County Planning and Development Department.
- cc. Prior to any zoning change, the applicant shall submit to the Maricopa County Planning and Development Department a “will serve” letter and an approved certificate of convenience and necessity (CC&N) from Global Water Resources which demonstrates a willingness and capability to serve the entire Belmont Development Master Plan.
- dd. Prior to any zoning change, the applicant shall submit to the Maricopa County Planning and Development Department a “will serve” letter and verification of approval of a 208 amendment by the Maricopa Association of Governments (MAG) from Global Water Resources which demonstrates a willingness and capability to serve the entire Belmont Development Master Plan.
- ee. Prior to initial final plat, the applicant shall submit to the Maricopa County Planning and Development Department a “will serve” letter from a qualified fire and emergency response provider demonstrating a willingness and capability to serve the entire Belmont Development Master Plan.
- ff. No less than 1,079 acres shall be reserved for mixed use as depicted on the Belmont land use plan. To help ensure that such areas develop as outlined in the Maricopa County Development Master Plan Guidelines, no less than 356 acres, or an equivalent calculation as approved by the Maricopa County Planning and Development Department, of the total acreage shall be reserved for professional and semi-professional office-type employment uses. Further, no less than 183 acres, or an equivalent calculation as approved by the Maricopa County Planning and Development Department, shall be reserved for retail uses. At the time of each preliminary plat or precise plan submittal, the master developer shall include a description of the status of the cumulative acreage with respect to the requirements outlined in this stipulation. This required balance shall be permanently maintained.
- gg. No less than 744 acres, or an equivalent calculation as approved by the Maricopa County Planning and Development Department, shall be reserved for mixed use employment as depicted on the Belmont land use plan. At the time of each preliminary plat submittal, the master developer shall include a description of the status of the cumulative acreage with respect to the requirements outlined in this stipulation.
- hh. No less than 1,960 acres, or an equivalent calculation as approved by the Maricopa County Planning and Development Department, shall be reserved for retail commercial as depicted on the Belmont land use plan. At the time of each preliminary plat submittal, the master developer shall include a description of the status of the cumulative acreage with respect to the requirements outlined in this stipulation.
- ii. Development shall be prohibited on hillside slopes of 20% or greater slope unless approved by the Maricopa County Board of Supervisors.
- jj. Prior to filing applicable final plats, the master developer shall submit a landscape inventory and salvage plan which identifies and assesses the native trees and cacti within the applicable parcels, and which determines the preservation and disposition for each of

the selected trees, plants, and cacti. The salvage plan shall be in accordance with state laws in effect at the time of plat submittal.

- kk. The master developer or similar entity shall be responsible for construction and maintenance of public open spaces and facilities; washes; parks; roadway median landscaping; landscaping within the public rights-of-way; pedestrian, bicycle, equestrian, and multi-use paths and trails; and other community amenities. Should the Belmont Development Master Plan be incorporated, responsibility for maintenance of the above mentioned facilities shall be the responsibility of the annexing city or newly created municipality.
- ll. All irrigation of common areas, golf courses, and lakes over ten (10) acres in size shall be done entirely with a renewable water supply when sufficiently available. A report identifying when a renewable water supply will be available shall be submitted to the Maricopa County Planning and Development Department prior to approval of initial rezoning. Notes testifying to compliance with this stipulation shall be placed on all plats.
- mm. Development of the Belmont Development Master Plan shall also be in concert with the following stipulations:
  - The Bethany Home Road and Olive Avenue street alignments will generally be maintained along the east-west section line through the project and will be shown connecting to Sun Valley Parkway to the east. It is anticipated that there will be low level water crossings across the Hassayampa River of these locations.
  - The 339th Avenue and 363rd Avenue / 355TH Avenue street alignments will generally be maintained along the north-south section line through the project.
- nn. Adequate coverage by the existing outdoor warning siren system for the Palo Verde Nuclear Generating Station is required. Otherwise, the applicant shall be responsible for installation of adequate additional sirens providing for adequate coverage for the Belmont Development Master Plan. The applicant shall obtain information on existing siren coverage from the Maricopa County Department of Emergency Management. If existing coverage is inadequate, the master developer shall provide funding to cover expenses of installing new sirens. Palo Verde Nuclear Generating Station will coordinate installation of the sirens. Siren coverage must meet the standards set for in Code of Federal Regulations FEMA Rule 44 – Part 350. Adequate siren coverage shall be provided prior to the occupation of any proposed buildings or residences.
- oo. Prior to any zone change, the applicant shall consult with the Maricopa County Department of Emergency Management to determine if the proposed development adversely impacts the existing Palo Verde evacuation plan. If the proposed development adversely impacts the evacuation plan results, then the applicant shall ensure that adequate provisions (street and road widening, interchanges, etc) are provided to ensure evacuation assumptions and requirements are met.
- pp. The applicant shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde nuclear generating station will provide this public safety information annually.



- qq. The following Maricopa County Parks and Recreation Department stipulations shall apply:
1. Two hundred fifty dollars (\$250) per residential unit shall be paid by the master developer as each residential building permit is issued to a park enhancement fund for trails and facilities enhancement and maintenance. The county shall deposit and hold all receipts in the parks special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Belmont residents. Details regarding this assessment are to be addressed in the development agreement.
- rr. The following Maricopa County Department of Transportation stipulations shall apply:
1. The applicant (developer) has provided a traffic impact study (TIS). The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The TIS shall address the timing, including “trigger” points for when design should begin, and “thresholds” by which time construction should be complete. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS shall be updated prior to any zoning (rezoning) and/or final plat approval and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite arterial alignments will be reviewed with each resubmittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.
  2. The Applicant shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The applicant may choose to construct off-site and certain on-site regional improvements as further defined in the Development Agreement, in lieu of payment of this contribution. Onsite regional improvements shall include 339th Avenue, 379th Avenue, Peoria Avenue/Cactus Road, Camelback Road and Northern Avenue. The portions of 355th Avenue and 363rd Avenue that are consistent with the future freeway alignment shall also be classified as credit eligible on-site regional improvements. Additional roadways that may be reclassified as enhanced arterials or greater in the future will be credit eligible on-site regional improvements as approved by MCDOT. Such off-site street improvements must be “system roadways,” must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT will require a development agreement to detail the specifics of construction, including phasing and timing. If the applicant chooses not to construct regional roadway improvements, the applicant shall pay the contribution amount at the time individual building permits are issued, or per an alternative agreement as approved by MCDOT.
  3. The development agreement shall be executed prior to any zoning (rezoning) or preliminary plat approval. The development agreement shall be an enforceable contract, regardless of annexation.
  4. Where within or adjacent to the Belmont Development Master Plan area, the developer shall provide the ultimate full or half-width of right-of-way for all public roadways as follows, or as otherwise approved by MCDOT:

- A.) 331st Avenue:  
Encanto alignment to Thomas Road 65 feet (half-width)  
Northern Avenue to Cactus Road 65 feet (half-width)
- B.) 339th Avenue:  
I-10 to Indian School Road 100 feet (half width) 200 feet (full-width)  
Bethany Home Road to North Boundary 200 feet (full-width)
- C.) 347th Avenue:  
South boundary to Olive Avenue 130 feet (full-width)
- D.) 355th Avenue and 363rd Avenue:  
Within project boundaries, where "freeway" 310 feet (full width)  
Within project boundaries, where "not freeway" 65 feet (half-width) 130 feet (full width)
- E.) 371st Avenue:  
McDowell Road to Thomas Road 65 feet (half-width)  
Bethany Home Road to Peoria Avenue 65 feet (half-width) 130 feet (full-width)
- F.) 379th Avenue:  
Northern Avenue to Olive Avenue 100 feet (half-width)
- G.) McDowell Road:  
335th Avenue to 347th Avenue 130 feet (full-width)  
355th Avenue to 371st Avenue 65 feet (half-width)
- H.) Thomas Road:  
331st Avenue to 367th Avenue 65 feet (half-width) 130 feet (full-width)
- I.) Indian School Road:  
339th Avenue to west boundary 65 feet (half-width) 130 feet (full-width)
- J.) Camelback Road:  
East boundary to 367th Avenue 100 feet (half-width) 200 feet (full-width)
- K.) Bethany Home Road:  
East boundary to 371st Avenue 65 feet (half-width) 130 feet (full-width)
- L.) Glendale Avenue:  
355th Avenue to 371st Avenue 130 feet (full-width)
- M.) Northern Avenue:  
323rd Avenue to 379th Avenue 100 feet (half-width) 200 feet (full-width)
- N.) Olive Avenue:  
323rd Avenue to 379th Avenue 65 feet (half-width) 130 feet (full-width)
- O.) Peoria Avenue / Cactus Road:  
331st Avenue to 375th Avenue 100 feet (half-width) 200 feet (full-width)
- P.) All Collector Roadways: 40 feet (half-width) 80 feet (full-width)

The above references interior and perimeter roads. (the project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways). Half-width right-of-way shall be provided where "half" of the roadway is within the development (perimeter roadways).

Additional right-of-way shall be dedicated at any intersections where future dual left turn lanes are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Maricopa Association of Governments (MAG) in conjunction with the Arizona Department of Transportation (ADOT) is conducting the "Hassayampa Valley Regional Transportation Network Study." This study is evaluating future regional arterial transportation network needs. The developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study, including sufficient right-of-way for the widening of I-10.

The developer shall reserve sufficient right-of-way for future traffic interchanges. This includes interchanges with I-10 as well as interchanges along the "new north/south freeway alignment." It is possible that some interchanges will not be located solely within the project boundaries. The developer shall only be responsible for only reserving right-of-way within the boundaries of their project.

5. The developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width of all perimeter roadways, unless approved otherwise by MCDOT. A portion of these improvements may be creditable to the developer's contribution referred to in item #2. All roadways must meet county standards in effect at the time or as otherwise approved by MCDOT. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including ITS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County." Roadways within Belmont may utilize the county cross section roadway design standards, Belmont custom cross section roadway standards approved by MCDOT, or a combination thereof, with the approval of MCDOT). Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. The developer shall relocate any "obstructions" (well sites, etc.) and/or provide additional right-of-way in the event of conflict with any transportation facilities. Roadway improvement plans must be approved and permitted by MCDOT.
6. The developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the developer's contribution referred to in item #2.
7. The applicant shall provide all-weather access to all parcels and lots, and on all arterial roadways.
8. The applicant shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
9. The developer shall not locate elementary or middle schools on arterial roads (the schools may not "back up" to arterials). Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.

10. The developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections shall be grade separated. Improvement plans must be approved and permitted by MCDOT. The developer shall prepare a comprehensive multimodal transportation and circulation plan (the "multimodal plan") which addresses public transit, bicycle, pedestrian, golf cart, equestrian, and other alternative uses, but not including rail. The multimodal plan must be approved before the subsequent approval of any roadway improvement plans. The project must comply with all recommendations in the MCDOT-approved multimodal plan.
  11. The developer shall design the project to accommodate public transit. Prior to any zoning (rezoning) or preliminary plat approval, the developer shall meet with the regional public transit authority, or equivalent public transportation agency, to discuss future public transit needs and to ensure that the project can accommodate anticipated future transit facilities. Analysis of public transit facilities shall include, but not be limited to, a coordinated park and ride lot system and bus terminals. The applicant shall be responsible for the design and construction of its appropriate share of public transit facilities. Public transit facilities shall be identified and included in the multimodal plan referenced in item #10.
  12. If streetlights are provided, installation shall be provided by the developer. If streetlights are within public rights-of-way, a street light improvement district (SLID) or comparable authority shall be established to provide operation and maintenance. The applicant should contact the Office of the Superintendent of Streets (602-506-8797) to initiate the SLID process.
  13. The developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual, or as otherwise approved by MCDOT. The developer (or as assigned to the home owner's association (HOA)) shall be responsible for maintenance of landscaping within public rights-of-way.
  14. The developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
  15. The developer shall comply with all applicable local, state and federal requirements (dust control, noise mitigation, AZPDES, 404 permitting, etc.)
  16. The developer shall provide written documentation of ADOT's review and requirements (MCDOT is in the process of coordinating with ADOT. This coordination will be on-going).
- ss. The following Maricopa County Flood Control District stipulations shall apply:
1. The Flood Control District (District) is a mapping coordination contractor with the Federal Emergency Management Agency (FEMA), who has provided notification to the District that all structures in Maricopa County must be assessed and categorized with respect to levee certification procedures in conformance with Section 65.10 of the National Flood Insurance Program. The District anticipates that while we update the flood insurance rate maps in Maricopa County for

certification of structures in accordance with the FEMA Levee Inventory System during the next couple of years, the 100-year delineated floodplains through the Belmont property may be changed due to the Central Arizona Project (CAP) Canal. Prior to approval of any preliminary plat north of the Bethany Home Road alignment, the applicant must identify the potential hazard downstream of the CAP canal through the development master plan boundaries if the district has not completed the assessment.

2. Prior to approval of any development in the Zone A delineated floodplains through the development master plan limits, a detailed floodplain study must be completed and submitted to FEMA for approval when the development is greater than fifty (50) lots or five (5) acres, whichever is lesser.
3. Prior to final plat approvals, the following items shall be addressed:
  - i. The effective floodplain and floodway limits need to be shown on both the final plats and the grading plan.
  - ii. The electronic HEC-RAS files for the final hydraulic calculations need to be provided.
  - iii. Calculations for the lowest floor elevation for all lots within the floodplain must be shown on the grading plan.
  - iv. The lowest floor elevation for all lots within the floodplains must be shown on the grading plans.
  - v. The lowest floor elevations for all lots within the floodplains must be at least two (2) feet above the 100-year water surface elevation. If this area is to be removed by a Letter of Map Revision (LOMR), then a Conditional Letter of Map Revision (CLOMR) will be needed. A LOMR will be required prior to the final approval of the built infrastructure if a CLOMR was issued by FEMA.
  - vi. A note needs to be added to the final plat listing the lots located within the floodplains. In addition, the note needs to state that until a LOMR is approved by the Federal Emergency Management Agency (FEMA), the finished floor will need to be elevated to the regulatory flood elevation and flood insurance will be required.
  - vii. No buildings will be allowed in the floodway.
- tt. The master developer shall notify future residents that they are located within the vicinity of a military training route with the following notification:

“You are buying a home or property within the vicinity of a Military Training Route, and may be subject to direct overflights and noise by Luke Air Force Base and other military jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 over flights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range, and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends."

Such notification shall be permanently posted in front of all home sales offices on not less than a 3 foot by 5 foot sign, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all covenants, conditions, and restrictions (CC&Rs), and be included in the public report.

- uu. The Belmont Development Master Plan shall be developed sequentially as identified on Exhibit P: Phasing Plan. Changes to the phasing plan may be approved administratively by the Maricopa County Planning and Development Department.
- vv. All development and engineering design shall be in conformance with the Drainage Regulations and current engineering policies, standards and best practices at the time of application for construction. No variance from the Drainage Regulations or drainage engineering design standards is granted or entitled under this DMP. Drainage review of planning, zoning, and/or Development Master Plan cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulations and design policies and standards. Modeling submitted with this DMP is for conceptual level analysis only. All plats shall be submitted with appropriate and detailed model to reflect the existing and proposed conditions. Hydrology analysis for the development will address worst case scenarios with and without the Central Arizona Project Canal.
- ww. The developer shall enter into a joint agreement with the Maricopa County Library District and the Saddle Mountain School District which addresses the construction, furnishing and joint financial responsibility for up to three libraries on the campuses of high schools in the development area that shall be operated as public library branches. In addition, the joint agreement shall address construction, furnishing and joint financial responsibility for the development of a public library facility to be developed as part of Villages 1 and 2.

**3. CPA2008-04 District 3**

Applicant: Commission-Initiative  
Location: ¼ mile north and south of Carefree Highway between 7th Avenue and 28th Street alignment (in north-central Maricopa County)  
Request: Comprehensive Plan Amendment to adopt the Carefree Highway Scenic Corridor Study

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of CPA2008-04, subject to staff recommendation which included a proposed modification to the second "dot point" on Page 10 of the study draft to read "GENERAL COMMERCIAL (C-3) AND industrial zoning and uses are strongly discouraged and should not be allowed". Commissioner Makula seconded the motion, which passed with a vote of 7-0.

[Note: CPA to be approved by Resolution.]

**4. Z2007-133 District 4**

Applicant: Beus Gilbert, PLLC for White Tanks Storage, LLC  
Location: Southwest corner of Northern Avenue and State Route 303 (in the west Glendale area)  
Request: Precise Plan of Development for an off-site advertising sign (billboard) in the Ind-2 zoning district (approximately 0.5 acres) – American Outdoor Advertising

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-133, subject to stipulations “a’ through “j”. Commissioner Makula seconded the motion, which passed with a vote of 6-0.

- a. Development of the site shall comply with the site plan entitled, “Offsite Advertising Display Z2007133 Precision Plan of Development”, consisting of one (1) full-size sheet, dated revised April 2, 2008, and stamped received April 18, 2008, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled, “American Outdoor Advertising Offsite Advertising Display”, consisting of three (3) pages, dated revised February 8, 2008, and stamped received February 12, 2008, except as modified by the following stipulations.
- c. The following Drainage Review stipulation shall apply:
  - Revised plans dated 4/18/08 have been reviewed and approved. This approval is for the entitlement only. Upon ultimate submittal for the required building permit a full engineered grading and drainage plan for the entire parcel will be required.
- d. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- e. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- f. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- g. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a ‘will serve’ letter substantiating coverage from the appropriate Fire Department servicing the site.
- h. Major changes to the site plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department.
- i. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- j. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.



[Note: The City of Glendale opposes this project due to conflict with their General Plan designation and concern that it could create traffic distractions along Loop 303.]

5. **Z2007-135** District 1

Applicant: TZ Architecture Group for LAACO, Ltd.  
Location: West of Arizona Avenue and south of Riggs Road (in the Chandler area)  
Request: Special Use Permit (SUP) for a self-storage and RV/boat storage facility in the C-2 and Ind-2 zoning districts (approximately 9.09 acres) – Storage West Arizona Avenue

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of Z2007-135, subject to stipulations “a” through “u”. Commissioner Aster seconded the motion, which passed with a vote of 7-0.

- a. Development of the site shall comply with the Site Plan entitled “Storage West Arizona Ave.”, consisting of one (1) full size sheet, dated February 11, 2008 and stamped received February 20, 2008, except as modified by the following stipulations. Within thirty (30) days of BOS approval, the applicant shall submit a revised plan adding a handicapped- accessible parking and removing two (2) standard parking spaces, and correcting the APN number.
- b. Development of the site shall be in conformance with the Narrative Report entitled “Storage West Self Storage-Arizona Ave.”, consisting of four (4) pages stamped received December 26, 2007, except as modified by the following stipulations. Within thirty (30) days of BOS approval, the applicant shall submit a revised narrative correcting the number of regular parking and handicapped-accessible parking spaces.
- c. Development of the site shall be in conformance with the Landscape Plan entitled “Storage West Arizona Ave.”, consisting of three (3) full-size sheets, dated October 15, 2007, and stamped received October 26, 2007, except as modified by the following stipulations. Within thirty (30) days of BOS approval the applicant shall submit a revised Landscape Plan amending the location of the standard and handicapped-accessible parking spaces and adding 25’ x 25’ Site Visibility Triangles at the main access point.
- d. Development of the site shall be in conformance with the Sign Elevation dated February 11, 2008 and stamped received February 20, 2008 consisting in one (1) page.
- e. Development of the site shall be in conformance with the Photometric Plan entitled “Storage West Arizona Ave.” dated December 20, 2007 consisting of one (1) full-size sheet and stamped received February 20, 2008.
- f. Development of the site shall be in conformance with the Building Elevation and Line of Sight Plan entitled “Storage West Arizona Ave.” dated December 21, 2007 consisting in five (5) full-size sheets and stamped received December 26, 2007.
- g. The following Maricopa County Department of Transportation stipulation shall be met:
  - The applicant shall provide ultimate improvements and additional right-of-way on Arizona Avenue per Arizona Department of Transportation requirements.
- h. The 6’ (h) wall adjacent to Arizona Ave. shall be constructed with CMU split-face finish.
- i. All trees shall be double-staked when installed.

- j. A continuous parapet shall screen all roof-mounted equipment.
- k. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened.
- l. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- m. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- n. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- o. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- p. This Special Use Permit shall expire 50 years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- q. The applicant shall submit a written report outlining the status of the development at the end of five (5) and 45 years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- r. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- t. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- u. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

6. **Z2008-005** District 4

Applicant: The Henderson Law Firm for Harvard Investments, Inc.  
Location: North of Indian School Road alignment, south of Bethany Home Road alignment, west of 323rd Avenue alignment, and east of 343rd Avenue alignment (in the Tonopah / Buckeye area)  
Request: Zone Change from Rural-43 to Rural-43 PAD, R1-6 PAD, R-2 PAD, R-3 PAD, C-S PAD, C-O PAD, C-1 PAD, and C-2 PAD (approximately 2,078 acres) – Hassayampa Ranch

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2008-005, subject to stipulations “a’ through “r”. Commissioner Brooks seconded the motion, which passed with a vote of 7-0.

- a. Development of the site shall be in substantial conformance with the zoning exhibit entitled “Zoning Exhibit Hassayampa Ranch”, consisting of one (1) full-size sheet, dated March 21, 2008 and stamped received April 18, 2008, except as modified by the following stipulations. Within 30 days of Board of Supervisors (BOS) approval, a revised Zoning Exhibit shall be submitted to correct the discrepancy with mini-park acreage as described in the staff report.
- b. Development of the site shall be in substantial conformance with the Narrative Report entitled “Zone Change Application for Hassayampa Ranch”, a bound document consisting of thirteen (13) pages plus exhibits, stamped received April 18, 2008, except as modified by the following stipulations. Within 30 days of Board of Supervisors (BOS) approval, a revised Narrative Report shall be submitted to correct the discrepancy with mini-park acreage as described in the staff report.
- c. Commercial parcels within the development shall be subject to a Plan of Development (PD) overlay.
- d. The Preliminary Plats and Plans of Development for any portion or phase of the development shall include at a minimum a landscape and amenity plan, artistic renderings of landscaping, buildings, and housing products, building and wall elevation plans, lighting plans, and comprehensive sign packages.
- e. Any areas that are considered “hillside” per the Maricopa County Zoning Ordinance (MCZO) shall be illustrated on Preliminary Plats and Plans of Developments and will be subject to MCZO hillside development standards.
- f. The master developer shall notify future residents that they are within proximity of active mining operations. Such notice shall be included on all final plats, be permanently posted on the front door or all home sales offices or not less than an 8 ½ by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).
- g. The master developer shall notify future residents that they are within the 10-mile Plume Exposure Pathway Emergency Planning Zone for the Palo Verde Nuclear Generating Station. Such notice shall be included on all final plats, be permanently posted on the front door or all home sales offices or not less than an 8 ½ by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).
- h. All development and engineering design shall be in conformance with the Drainage Regulations and current engineering policies, standards, and best practices at the time of

application for construction. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulations and design policies and standards.

- i. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened for commercial developments.
- j. All interior streets within the proposed development are to be constructed to minimum County standards.
- k. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- l. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to Final Plat, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- o. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- q. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- r. Zoning is conditional. If DMP2005007 expires prior to development, the zoning shall be considered for reversion to the original Rural-43 zoning as per the Maricopa County Zoning Ordinance.

[Note: This case was heard at the 6/4/08 Commission hearing and was double-advertised to the 6/18/08 BOS agenda per the applicant's request.]

**7. S2007-058 District 2**

Applicant: La Jara Farms, LLC  
Location: Northeast corner of Crismon Road and Brown Road (in the west Mesa area)

Request:           Replat for La Jara Farms (aka Encanto Este)

[Note: Although staff has no objections to this request, this Replat is not considered in substantial conformance with the approved Preliminary Plat and has, therefore, been placed on the agenda as a regular agenda item.]